

PRISONS—(IRELAND).

COPY of Report of Inquiry, held in November, 1902, into the facts and circumstances connected with or relating to the treatment while in Limerick Prison, and the nature and cause of the illness, of Mr. TIMOTHY FLANAGAN, with Appendices.

Presented to both Houses of Parliament by Command of His Majesty.



DUBLIN:

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WE, WILLIAM HUMBLE WARD, Earl of Dudley, Lord Lieutenant-General and General Governor of Ireland, do, in pursuance of the powers given to Us by the Prisons (Ireland) Act, 1877, and of every other power thereunto Us enabling, hereby direct that Charles Edward MacDermot, Esquire, Barrister-at-Law, Inspector of Prisons, do in pursuance of section 11 of the said Act hold a Public Inquiry at the County Court House, Limerick, on the 17th day of November, 1902, at the hour of 11 o'clock a.m., into the facts and circumstances connected with or relating to the treatment while in prison, and the nature and cause of the illness of Timothy Flanagan, a prisoner committed to His Majesty's Male Prison at Limerick on the 17th day of June, 1902, under sentence of four months' imprisonment with hard labour, and discharged therefrom on the 15th day of September, 1902; and that the said Charles Edward MacDermot do, in pursuance of said section of said Act, summon all such persons as he shall think fit to call before him to give evidence as to the prison treatment and nature and cause of the illness of the said Timothy Flanagan, and examine such persons on oath and report thereon to Us with all convenient speed.

Given under Our hand the 11th day of November, 1902.

(Signed), DUDLEY.

No. 14,265.

PUBLIC SWORN INQUIRY
Re CASE OF TIMOTHY FLANAGAN.

To the CHAIRMAN, GENERAL PRISONS BOARD.

I beg to forward annexed Report and Minutes of Evidence in the case of Timothy Flanagan for submission to His Excellency the Lord Lieutenant.

C. E. MACDERMOT.

26th November, 1902.

UNDER SECRETARY.

Submitted.

J. S. GIBBONS,

26th November, 1902.

Chairman.

GENERAL PRISONS BOARD,

DUBLIN CASTLE,

26th November, 1902.

I have the honour to report that pursuant to His Excellency's warrant dated the 11th November, 1902, I held a public sworn Inquiry, on 17th, 18th, 19th, 20th, and 21st instant, into the facts and circumstances connected with the treatment while in prison, and the nature and cause of the illness, of Timothy Flanagan, a prisoner committed to Limerick Male Prison on 17th June, 1902, under sentence of four months' imprisonment with hard labour, and discharged therefrom on the 15th day of September, 1902, and into all circumstances which preceded and attended that illness, which eventuated in acute mania, for which he is now undergoing treatment in Limerick District Asylum.

The Inquiry was held in the Limerick County Courthouse. Mr. Thomas Lynch, Solicitor, Ennis, appeared on behalf of Mr. Flanagan's relatives. A very large number of witnesses were examined by me, and I attach their evidence to this report. I permitted Mr. Lynch to cross-examine these witnesses.

It appears from the evidence that, in July and August of the present year, the City of Limerick was visited by a severe outbreak of typhoid fever. The cause of the outbreak becomes important as the water supply of the city is assigned as the source of infection, and both City and Prison are supplied with the same water.

Early in July there was a shortage of water in the Newcastle reservoir, owing to the dry weather, and on July 15th the supply was supplemented by water from Rebogue, which was sent direct to the reservoir unfiltered. This water is supposed to have been collected in a polluted area. It was ascertained that the contagion was not conveyed by milk, and as the contagion was introduced during the time of the shortage in the water supply (from July 15th to August 2nd), this water was regarded as the probable source of the infection by Sir Acheson McCullagh, Medical Inspector to Local Government Board. Dr. McGrath, Officer of Public Health, Limerick, took a more favourable view of the water.

It was proved that where a public water supply is responsible for the dissemination of typhoid, the disease will be widespread. (Evid. Dr. McGrath, p. 6.)

There is a population of over 38,000 in Limerick, and there were about 50 cases of typhoid fever. Analysis of the water did not show the presence of typhoid bacilli. (See analysis of Dr. McWeeney, dated 18: 11: 02. Appendix III.)

If, therefore, the water caused the infection, the typhoid organisms could not have been largely present in it. July and August being dry months, and the state of the city most insanitary, the epidemic spread.

It was proved that many of the houses in Limerick are without sanitary arrangements of any kind. In some of the back lanes filth, and even excreta are thrown out. Cesspools are common, and very inefficient means are used to maintain cleanliness. Limerick Male Prison stands in the N.W. district of the City, and when any contagion prevails in the City which can be borne atmospherically, such as typhoid, the prison inmates may be in some danger.

The prison sewerage system was remodelled in 1892 on the most modern lines by Messrs. Maguire, of Dublin. The system, which is fully explained in the evidence of Mr. Max Green, seems to be the most perfect of its kind, and, at the time of Mr. Flanagan's illness, and for months previously, was kept in excellent working order. The perfect sanitary condition of the prison, and the high degree of cleanliness maintained there, was testified to by the following witnesses:—Dr. McGrath, p. 6; Mr. Max Green, M.I.C.E., pp. 5, 6; Mr. M. O'Sullivan, Governor of Limerick Male Prison, pp. 9, 10; Dr. Gelston, pp. 10, 11; Dr. Laird, p. 17; The Rev. T. Lee, Administrator, St. John's; Catholic Chaplain, p. 12; The Rev. M. Murphy, Catholic Chaplain's substitute, p. 18; Mr. James F. Barry, Mayor of Limerick, p. 8; Mr. John O'Brien (*locum tenens* for Mayor), pp. 22, 23; Mr. John Guinane, p. 17; Dr. Woodhouse, pp. 23, 24.)

That the infection could not have been conveyed by the milk supplied to the prison is placed beyond doubt by the evidence (*vide Report of Dr. Woodhouse, Appendix VII.*; Mr. Michael Kelly, p. 16: Mr. Michael Corbett, p. 16.)

No uncooked food reached the prisoners.

Although the water used in the prison is the same as that supplied to the citizens of Limerick, great care has been taken to secure its purity. For greater security, all the water used for drinking purposes and for washing utensils had been boiled for several months previous to Mr. Flanagan's illness (*vide evidence, pp. 9, 11, 14, 17, 23: Dr. Laird's Report, p. 17; and Dr. Woodhouse's Report, Appendix VII.*)

Before that the city water had been for some years passed through a Pasteur filter.

It was alleged that there was a tap in the stoneyard (where Mr. Flanagan worked for the first month of his imprisonment only) supplied by the city water, mixed with a little rain water, from which Mr. Flanagan may have drunk. It was not proved that he did drink this water, and there was no reason that he should. In the middle of this stoneyard there was placed a plentiful supply of pure drinking water, which had been previously boiled, for the use of prisoners working in this yard. It was in a large can, with a small vessel to drink from. Prisoners knew of this supply, and were constantly asking permission to leave their places to drink of it.

No prisoner, on the other hand, was ever permitted to drink from the tap; and to have attempted to have done so would have been to incur punishment. Above the tap was a notice in large white letters on a black ground "unfit for use," and there was no vessel near the tap from which the water could have been drunk. Mr. Flanagan left the stoneyard about July 17th, and did not again return to that part of the prison. Having regard to the "incubation period" of typhoid, the medical witnesses were unanimous in their evidence that typhoid fever, which developed about September 12th, could not possibly be ascribed to infection caught in June or July.

I am, therefore, satisfied that Mr. Timothy Flanagan did not contract his illness from either the food (including milk), or from the water supply of Limerick Prison, or from anything defective in its system of drainage. I believe the infection to have been air borne from the infected neighbourhood of the city, in its then insanitary condition—the weather being very dry at this time, and calculated to spread infection in that way.

The typhoid fever so contracted, eventuated in a mental malady, to which it has been alleged the prison treatment was contributory. It was proved that delirium was a common accompaniment of typhoid fever, but that acute mania seldom followed it. Dr. O'Neill, Medical Superintendent of Limerick District Asylum, and a distinguished specialist on mental diseases, stated that out of 2,701 cases in ten years, he found only two cases of mania following typhoid; and that where acute mania followed typhoid the predisposing causes might be found in "mental worry, shock, excitement, fright, grief, privation, and heredity." (Dr. O'Neill, pp. 21, 22.)

Mr. Flanagan, previous to his imprisonment, was employed by a farmer named Russell in charge of a farm, for which he was paid £16 a year and some grazing. As Chairman of the Corofin District Council he was an *ex-officio* magistrate, and seems to have acted fairly well as a magistrate (Mr. Holmes, D.I., p. 18). He was, in the opinion of the doctor of his own district, an exceedingly excitable man, not of average balance of mind (Dr. Macnamara, p. 21). He seems on occasions to have drunk to excess (pp. 19, 21). For a few years before his illness he had contracted the habit of talking aloud to himself (Dr. O'Neill, p. 21). Mr. Flanagan was received into prison on the 17th of June, under a warrant committing him for four months' hard labour. He was from admission allowed to wear his own clothes. At the end of two days he was, on medical grounds, exempted from the plank bed. He was employed at healthy open air labour, viz. wood-chopping and carpentry. On 8th of July he got 1 pint of milk per diem extra, which was continued down to the date of his illness. On the 4th of August he got white bread instead of brown. He was exercised separately from ordinary criminals. He was never punished, and was always cheerful and willing. He was visited by several members of the Visiting Committee and other magistrates. I beg to refer to the evidence of these

visitors, and the evidence of the Catholic Chaplain of the prison, and the Chaplain's substitute, as the strongest possible testimony to the kind and humane treatment of Mr. Flanagan by the prison officials, and to the cleanliness and perfect sanitary arrangements of the prison itself. (The Rev. T. Lee, p. 12; The Rev. M. Murphy, pp. 12, 13; Mayor of Limerick, p. 8; Mr. O'Brien, p. 22; Mr. Guinane, pp. 17, 18; Mr. Lynch, p. 20).

Mr. Flanagan took ill on September 12th, and was twice visited by the Medical Officer on that day.

On the 13th of September the typhoid declared itself, and he was removed to the prison hospital. A trained female nurse (Nurse Wells) was brought in to attend him by day, and an experienced hospital warder (Warder Scales) attended him by night. On September 14th, the Medical Officer recommended his discharge to the County Limerick Infirmary, and at 12.30 p.m. on September 15th, he was discharged, and carefully removed under the superintendence of Dr. Gelston, to the County Infirmary. Shortly after his removal to the Infirmary, delirium set in, followed later by acute mania.

The medical evidence shows as the probable cause of this an hereditary mental taint brought on by Mr. Flanagan's previous habits of living, and the accidental circumstance of his having contracted typhoid fever (Dr. O'Neill, p. 21; Dr. Laird, p. 17; Dr. Macnamara, p. 21.)

It is difficult to get evidence of family history, where mental deficiencies exist among members of it, but there was evidence forthcoming that one of Mr. Flanagan's brothers was an epileptic, and that a neurotic condition was present in himself and other members of his family (Dr. Laird, p. 17; Dr. O'Neill, p. 21; Dr. Macnamara, p. 21; Mr. Holmes, D.L, pp. 18, 19; Sergt. MacDough, p. 19; Const. Smyth, p. 19; Const. MacDermott, p. 19).

I am satisfied that the illness of Mr. Timothy Flanagan can in no way be ascribed to his prison treatment, which was throughout humane and considerate. He reluctantly left the prison hospital for the County Infirmary on the recommendation of his medical adviser (Wr. Scales, p. 15; Dr. Gelston, p. 11; Chief Warder Murphy, p. 14).

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

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MINUTES OF EVIDENCE.

FIRST DAY.—MONDAY, NOVEMBER 17TH, 1902.

Mr. MAX GREEN, M.I.C.E., Engineering Inspector of the General Prisons Board, having been sworn, states:—

I am a member of the Institute of Civil Engineers, and also Engineering Inspector of the General Prisons Board. I am acquainted with the sanitary arrangements of Limerick Prison. It has been my duty from time to time to inspect Limerick Prison. The contract for the new drainage system of Limerick Prison was entered into on 20th November, 1891, and completed in June, 1892. (*Map of drainage system produced and put in evidence. See Appendix I.*) The red line on map represents the existing system of new sewers. The new sewers deliver the prison sewage into the public sewer in Mulgrave-street. No portion of the new sewers passes under the prison block at present in use. The sewage is carried from the closets by a three-gallon flush. Two to three gallon flush is usually considered sufficient. In addition there are three flushing barrels, containing about eighty gallons of water each, which, when discharged, completely flushes these sewers. They are discharged by pulling up a big plunger. The water is supplied through pipes from the town public supply, and the flushing barrels automatically kept filled. The pipes are skilfully constructed for the work they have to do, and, in my opinion, the three gallons flush is sufficient to carry off the sewage of the prison. The flushing barrels are an additional precaution, and exist only in the best system of sewage. The ventilation of the prison sewer is provided for in the following way:—A disconnecting manhole outside the prison, provided with a Broad's trap, prevents the sewer gas from the town main coming back into the prison. This is a most efficient trap to prevent the ingress or intake of gas. It is, in fact, a syphon, in which a deep head of the pipe, always filled with water, absolutely prevents the passage of sewer gas. At the manhole inside the prison there is an air inlet, and also at every sixty feet of the drain. There are, in addition, three exit ventilating pipes carried up over the prison building. I consider, by these means, the drains are extremely well ventilated. The drains are laid in straight lines, and at every change of direction there is a manhole. This insures the easy removal of any obstruction. I have frequently examined the drains of Limerick Prison; they have always been in good order. I examined the drains about four months before the two cases of typhoid in September; they were all right then. About the 26th or 27th of September, after the outbreak of typhoid in the prison, I tested the drains. I will explain the tests. The first test was to see that the flushing arrangements were satisfactory. To arrive at this I had all the manholes opened, and the flushing barrel of each system was discharged. I could follow the volume of water from each flushing barrel until its discharge through the disconnecting manhole. The flushing was perfect; there was no obstruction. The water ran clear. The next thing was to test them for staunchness. The outlet was plugged and the drains allowed to fill. There was no sinking of the water. Had there been a leakage the water would have sunk. It remained level, showing no sinking. The third test was for any settlement that might have taken place in the pipes. This was done by the smoke test. The test was satisfactory. The pipes are earthenware pipes laid on concrete, between 2 feet to 12 feet below the surface. I considered, from the examination I made, that the drains were in perfect order. It is right to say that one of the gully traps at extreme south of the Stoneyard was broken. Its function was to let off rain water from Stoneyard. In its condition it would have let up sewer gas if any existed; but only the contents of a length of 10 feet of pipe. The water of the prison comes from the town main, through metal pipes, to the closets. The drinking water of the prison is delivered by a fixed pipe into a Pasteur filter, from which it goes into a small storage tank (iron) closed against the air, from which the water is drawn by a tap. The Pasteur filter is the best filter known. In my opinion it could not be possible for the water supply to the prison to be contaminated by the sewerage pipes. They are set a considerable distance apart.

By Mr. Lynch.—I got instructions to make the September inspection on 23rd of September, 1902. I had not seen the prison for about six months before. I found a gully trap broken. The smoke test called my attention to the gully trap—there was an escape of smoke. The trap was in connection with the sewer. Nobody appeared to know how long the crack was there.

I did not examine the main drain in the Corporation-road (Mulgrave-street).

Pipes in the prison are constantly getting choked. I never heard that a pipe in the prison was choked during the time Mr. Flanagan was in prison. I would

not be surprised to hear that a prisoner had been sent down into the sewer to clean it. If you find an obstruction in a drain you must clear it out. I am very much surprised to hear that it occurred, viz., how anything could have got into the drain.

Would you approve of a system by which a drain can get choked?—I would not. Limerick Prison was originally two prisons (male and female). I am thoroughly conversant with the unoccupied portion of the prison. I examined it when I was there last. I swear I examined it on my former visit. This portion is ventilated by ventilators and windows, and is ready for occupation at any moment. I should not call it damp; but there is no fire lit, nor is it kept heated.

By Inspector.—Only into the closets could a prisoner throw an obstruction which could get into the sewers. It is easy to remove an obstruction. The closets are disconnected from the drains by a trap which prevents the ingress of gas, though not the passage of articles thrown into them.

MAX S. GREEN,

Engineering Inspector.

(Mr. Green puts in the contract plan, showing the prison sewers, which I have initialed, and attach hereto.) *Appendix I.*

Sworn before me this 17th of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Dr. MAGRATH, Superintendent Medical Officer of Health, having been sworn, states:

I am the Medical Superintendent Officer of the City of Limerick. My duties are to inspect and try and find out the cause of epidemics spreading. The provisions of the Public Health Act requiring notice of infectious diseases have been made applicable in Limerick. The first notification of the outbreak of typhoid fever in Limerick was on the 11th of August. In all there were forty-eight or forty-nine cases arising between the 11th of August and 30th of October. The epidemic was not confined to any one area. In the case of an epidemic of typhoid, water, food (including milk), and air are the suspicious sources. If the infection extends over a large area the water is generally suspected. In this case the milk supply was not, in my opinion, responsible. I don't know how the typhoid microbe was brought into Limerick. Typhoid cannot be generated *de novo*. The bacilli must exist; in popular language, typhoid can only generate typhoid. Sewer gas, which would produce a diarrhoea, could not produce typhoid unless the typhoid bacilli existed in it. The period of vitality of the typhoid germs is not known; but if the germ was introduced into a house or prison in June, it could be an infectious agent in September, and for months after. They breed in suitable places in sewage of any description. The sewage and excreta of Limerick are thrown out on the lanes and streets. It is supposed to be taken away the following morning by the carters and sweepers; but this is sometimes not efficiently done. A good deal of mud accumulates in the streets. The streets are not paved. If the bacilli of typhoid got into Limerick they would find a favourable breeding ground in the mud-heaps and soil of the streets. This being a dry year was most favourable to them. When the excreta dries up the air carries the microbe about, and then it is exceptionally dangerous, and difficult to guard against. If there was one case of typhoid in the city, and the excreta from the infected house were thrown on the streets, as I have found it, it would be quite sufficient to spread typhoid. I visited Limerick Prison on the 15th of September—the day I got the notification about Mr. Flanagan. I went over the whole prison, and saw all the water closets. They were very clean, and the flushing seemed quite adequate. I saw the flushing barrels; they are a very fine idea. As sanitary officer, I thought Limerick Prison, when I visited it on September 15th, in splendid sanitary condition. Clean, without the slightest trace of smell of any sort. I did not see Mr. Flanagan in prison. I saw him in the county Infirmary that evening. I wanted to see if I could get any clue to the typhoid from himself. I saw Mr. Flanagan. He had no idea how he caught the typhoid. He was looking well, and was chatty. He was not depressed.

By Mr. Lynch.—I went to Mr. Flanagan to get a clue to his habits of living. Nobody sent me. I went there in pursuance of my duty as Public Health Officer. I thought it was a matter of importance I was going to see him about. Typhoid in Limerick and in the prison was very much discussed in the City. I was shown no tap in the prison. I saw everything that was to be seen. I did not go into the old female prison; the door was open. Chief Warden Murphy was the only man in the prison I had conversation with. I did not examine Mr. Flanagan in the Infirmary to see if he had typhoid fever. It would be a breach of etiquette, I assumed he had it from the official notice. It was possible for Mr. Flanagan to have got typhoid from the city. The probabilities are that he contracted the fever in the prison. But I am unable to say whether it was contracted from an external source or an internal source.

I heard Mr. Green examined. A choked pipe would be bad: it would block the excreta. The typhoid bacilli would have to be in the excreta to cause typhoid. A commode bucket left from 12 noon on Sunday to 6 a.m. on Monday would, if used, be dangerous to health. If I were a doctor in charge of a prison I would not allow such a thing.

M. S. MAGRATH, M.R.C.P., D.P.H.

Sworn before me this 17th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Sir ACHESON MACCULLAGH, M.D., Local Government Board Medical Inspector, having been sworn, states:—

I am a Medical Inspector of the Local Government Board. On 18th of August, 1902, in consequence of typhoid fever being in Limerick, I inspected the sanitary conditions of the city. I made an inspection, and furnished a report as to the causes of the outbreak of typhoid to the Local Government Board. (Report put in, *Appendix II*) The channels of infection are, usually, first water, next food (including milk), and, lastly, air. I attribute the outbreak to infected water. The infected water did not come from the ordinary public supply of Limerick (Clareville), but from Reboque. Water was taken from Reboque between July 16th and August 2nd. After this the ordinary supply was sufficient until August 29th. Reboque was reverted to, then, for some days, and used, off and on, during September. It is a bad water; but I cannot say it contained typhoid bacilli. The lanes and smaller streets of Limerick are without sanitary provisions of any kind; night soil and other refuse is thrown out on the streets, and the methods of cleaning and flushing the streets have been very primitive indeed. The men are supposed to clean the refuse away every day; but the streets are not cleaned every day. The tenement houses are bad; several of them are without any sanitary arrangements, and in several of them the w.c.'s are inside the houses, without any means of ventilation. These houses are kept very dirty, as a rule. The channel ways, and the paving of the back streets are very defective, and the mud and mire left in heaps on the streets and lanes of the city, are also objectionable. In a city in such an insanitary condition as Limerick, once you get typhoid in, the air would be a very likely channel of infection.

By Mr. Lynch.—The prison cases were reported to me on the 29th of September. The cases, viz., Messrs. M. Crowley and Timothy Flanagan. There is no doubt about there having been bad water in Limerick. I believe the prison was supplied from the Reboque water (during the shortage). It is not a good water. The sanitary condition of Limerick is not of the best; it is most insanitary. I made several recommendations as to improving the sanitary condition of Limerick, chiefly in January, 1901, which have not been carried out. Things have improved; but they have not gone down to the root of the evil, viz., the insanitary lanes, alleys, privies, &c. I could not say that the insanitary condition of Limerick was a standing peril to Limerick Prison. I could not go as far as that.

As to the standing privy left in a prisoner's cell, 12 noon to 6 a.m. next day, I would not approve of that. It would render the prisoner more liable to an attack of typhoid. I don't think such a thing should be allowed in any house or any place.

ACHESON MACCULLAGH, Knt.

Sworn before me the 17th of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

On the third day of the Inquiry, November 19th, Sir Acheson MacCullagh was recalled for the purpose of putting in an analysis of four samples of the Reboque water made by Professor McWeeney. This analysis, initiated by me, is attached hereto, together with Sir Acheson MacCullagh's report (September 5th, 1902) to the Local Government Board (Ireland). See *Appendix III*.

CHARLES E. MACDERMOT.

Mr. PATRICK J. LINNANE, having been sworn, states:—

By Mr. Lynch.—I am Chairman of the Ennis Town Commissioners. I was sentenced to a term of three months' imprisonment in Limerick Prison. I entered the prison on the 17th of June last. Timothy Flanagan was convicted on same date with me. He got four months, with hard labour. I was up in a high part of the prison, in a cell on the second storey. Every day I was in prison I saw Flanagan. During the first week of our confinement the food supplied to the prisoners was so wretchedly bad that I could see a great change for the worse in Mr. Flanagan. When he went in he was a strong and healthy man, and at the end of the first two or three weeks his appearance was very bad. At the end of about the second week, when I and Mr. Flanagan were brought up to see the doctor, he said to me, "I have got some medicine. This food is disagreeing with me." We went before the doctor (Dr. Gelston), and we said the food was very bad. I consider that Dr. Gelston, and the Governor, and the Chief Warden, and the other warders treated us very well, but the regulation supply is not sufficient. I went before the doctor and got white bread instead of brown, and other concessions which I will mention. I have no fault to find with the white bread. The other concessions I got were porridge and milk, in consequence of dyspepsia. I got the regulation allowance; but I complain against the regulation allowance for the first week; after that the food improves. During the course of my imprisonment in the yard I was tying wood. The closet was three or four yards from me. During my confinement I found a disagreeable smell all around me. Flanagan occupied a partitioned shed next me. I was nearer to the closet than he was. This disagreeable smell continued for two or three days. I made no complaint myself. Subsequently a warden—Mr. Monds—found the smell also. I heard him make an exclamation about the smell. He sent for a prisoner named Cunningham, and he opened the manhole. Martin Cunningham came, opened up the manhole, and when he did so the sewage bubbled up. Martin Cunningham freed the place with an iron rod. He also got some of the other prisoners to get buckets of water to clean the hole. At the upper end of the stone yard, whenever it rained, the store-room at end of the yard was flooded.

The doorway into the female prison is always closed, as the place is unoccupied. One afternoon I was there doing some painting. There were other prisoners there (Flanagan was not there at the time, but I saw him there on one occasion), I worked from afternoon until evening there. The place is mildewed; there was a damp disagreeable smell there. I got a headache and positively sick there. I complained to Mr. Scales (a warden) who was present, and also to the Chief Warden, and I asked to be relieved of this duty, which he did. I saw prisoners put in at 5 o'clock in the afternoon.

Prisoners are locked up at 12.30 p.m. on a Sunday. I was given a bucket, and it was left there until Monday morning. There was no w.c. I was not informed that by ringing a bell a warden would come and take away my slop bucket. During the three months I was in prison I had occasion on a Sunday (only once) to use my slop bucket, and then it was not taken away until next morning. I consider the sewage was defective. I saw one tap with a notice on it, "Unfit for consumption." I saw prisoners drink out of this, and I drank out of it myself. All the prisoners had access to this tap.

P. J. LINNANE.

Sworn before me this 17th day of November, 1902.

CHARLES E. MACDERMOT,
Barrister-at-Law,

Inspector of Prisons.

Mr. JAMES F. BARRY, Mayor of Limerick, having been sworn, states:—

I am the Mayor of Limerick, and a member of the Visiting Committee of Limerick Prison. I visited Mr. Flanagan three times. I asked him had he any complaints to make. He said he had no complaints, and was well treated by the Governor and officials of the prison. The last day I saw him was upon the 9th or 10th of September. He made no complaint. I always found him well. I asked him was there anything I could do for him, and had he any complaints as to his treatment, and he said, "No." I had a good deal of sympathy for him. Had there been any improper treatment of Mr. Flanagan, I would make it known in Limerick.

By Mr. Lynch.—When I saw him he was working in the wood shed, off the stone yard. He was the sort of man to make a complaint if he had one. He knew I was the Mayor of Limerick. I was sorry when I heard Mr. Flanagan had typhoid. I never heard until to-day that this manhole was choked. I did not observe the yard flooded.

I was not aware until this day of the system of prisoners being locked up for a very long time on Sundays. I was aware they only got two hours' exercise. I do not approve of this system, as a Visiting Justice.

JAMES F. BARRY.

Sworn before me this 17th of November, 1902.

CHARLES E. MACDERMOT,
Barrister-at-Law,

Inspector of Prisons.

SECOND DAY.—TUESDAY, NOVEMBER 18TH, 1902

Mr. MICHAEL O'SULLIVAN, Governor of Limerick Prison, having been sworn, states:

I have been close on five years Governor of Limerick Prison. Previous to that I was for thirteen months Governor of Waterford Prison, and have, altogether, been close on thirty years in the Prison Service.

On the 17th of June I received Mr. Timothy Flanagan, of Corofin, in Limerick Prison, pursuant to a warrant dated 17th of June, in which he was sentenced to four months' hard labour in Limerick Prison. (*Warrant produced.*) He was put immediately into No. 2 Ward—the probation ward. The doctor saw him next morning. Previous to the doctor seeing him he did not sleep on a plank bed. A hard labour sentence now involves fourteen days on a plank bed. Between 11 a.m. and 12 noon next day the doctor saw him. The doctor (Dr. Gelston), as a result of his examination, certified Mr. Flanagan to be fit for hard labour. (*Medical Officer's Journal produced.*) He was then placed in one of the cells in which Star Class prisoners are placed, and passed to work immediately. He was not compelled to wear the prison dress. I informed him that under a certain rule (Rule 28, read), by making an application to the General Prisons Board, I would recommend his being allowed to wear his own clothes, provided he guaranteed he would keep an ample supply of underclothing. Mr. Flanagan made the application to wear his own clothing. (*Application, in writing, of Mr. Flanagan, put in evidence, with certificate and covering letter. Appendix IV.*) The General Prisons Board granted the permission on the 19th June, and Mr. Flanagan was allowed to wear his own clothes, and continued to do so during the whole time he was in prison. After passing the doctor as in good health and fit for hard labour he was passed out to work. The labour he was put to was chopping firewood. The forms of hard labour in Limerick Prison are—(1) mat-making, (2) stone-breaking, (3) sawing wood, (4) chopping wood. Mr. Flanagan was put by me to chopping wood. Mat-making is most difficult, as it involves conditions of confinement and isolation. Stone-breaking is considered the next most difficult labour, and then sawing wood requires more physical strength, and is more monotonous than chopping wood. I gave Mr. Flanagan the least difficult of all descriptions of hard labour. Wood chopping was formerly not considered a hard labour, but an industrial labour, and was given to prisoners not sentenced to hard labour. The shed in which Mr. Flanagan was sent to work was in the stone yard. This is the yard on which what is called the diseased prison abuts. Mr. Linnane occupied the shed adjoining Mr. Flanagan's. He was not a hard labour prisoner; but I kept them together because they were J.P.'s. But the rule would have been that they should have been separated, one being a hard labour and the other a non-hard labour prisoner.

The work sheds where these prisoners were during the first month at work are in a continuous line. There is a closet at each end of the line of sheds. Mr. Linnane was only separated from one of the w.c.'s by a shed in which he was kept, and next to him was Mr. Flanagan—further from the w.c. than Mr. Linnane. The w.c. was always kept in perfect working order. It is a flush closet, with a three-gallon flush. It was sometimes only out of order. In the summer during which Mr. Flanagan was confined I remember one occasion when the closet was clogged by the paper used by the prisoners. I used to visit this yard at least every day—three times a day—except when away for ten days' vacation, in the middle of July last, when the Chief Warden was in charge, and again for two days from September 10. On these visits I found the closets in perfect good order. If any obstruction of the closets took place it must have been removed between the times of my daily rounds. The provision for enabling prisoners working in this stone-yard to get a drink of water was as follows:—In the yard a pail of boiled filtered water was kept, with a drinking pannikin. Any prisoner wanting a drink would, on holding up his hand, be allowed to fall out to get a drink of this water. Every prisoner knows this. He sees the can and the water, and during working hours he sees other prisoners frequently going over to take a drink. There is a tap in the yard with water not considered good drinking water. This was labelled in large painted letters (*notice produced*), "Unfit for drinking purposes." It would be the duty of the superintending warden to prevent any prisoner going to this tap for a drink. A warden would be severely punished if he permitted it; and it would be impossible for a prisoner to leave his shed for that or any other purpose without a warden seeing him. In this stoneyard there is no other tap with doubtful drinking water. The stoneyard is at all times kept clean. It is a dry place, and plenty of sun gets at it.

In the same way, if a prisoner wants to go to the w.c. he can do so while at work by holding up his hand and falling out for the purpose. While in his cell he can at all times, except during meal times and on Sundays between 6 p.m. and 6 a.m. next morning, go to the ward w.c., by ringing his bell. A bell is attached to every cell. Between 6 p.m. (lock up) on Sunday night and 6 a.m. on Monday morning he must use his pail or commode. The cells are well ventilated by window and a

ventilator. It would be hardly possible for a prisoner, even of dirty habits, to be confined with his soiled slop pail from 12 noon on Sundays until 6 a.m. on Monday morning. Except at dinner-hour he could ring his bell at any hour before 6 p.m. to have it taken away. If he did not ring his bell, the cell would be of necessity visited at least three times on Sundays before 6 p.m., viz., 12.45, dinner; 2 p.m., removal of dinner tins; 5.30 supper served. He could ask the warden at any of these times to allow him remove the pail, and if he did not the warden would be bound to smell the nuisance and make him remove it. The prisoner would be liable to punishment if he kept a nuisance in his cell when he could have it removed, and on reception he is informed of this. As to what is called the disused prison, it is exactly in as good a condition as the rest of the prison; it is not a disused prison. It has all the modern appliances for heating and ventilation. Whenever it is used it is heated before occupation. It is kept clean, and well whitewashed, and daily looked after. The cells are lofty cells, and boarded.

Mr. Flanagan was in the stoneyard until the 17th of July. On the 18th and 19th of July he was tying wood, and from 19th of July until he got ill he was working at a carpenter's bench in the other yard. After the 18th of July he never worked in the stoneyard. On the nights of the 18th and 19th of June Mr. Flanagan was on a plank bed. On the evening of the 19th I had a conversation with Mr. Flanagan, and asked him how he was getting on. He said the plank-bed was irksome. I suggested to give in his name to see Dr. Gelston the following morning. His name was put down, and on the morning of the 20th he saw the doctor, and the doctor allowed him a "full bed" (14 lbs. mattress). (*Entry in Medical Officer's Journal read, allowing T. Flanagan "full bed," produced.*) He never slept on a plank bed after that. After being three weeks in prison an alteration was made in Mr. Flanagan's dietary; on the 8th of July he got a pint extra of new milk, daily, and that was continued up to the time of his illness, with the exception, I think, of two days, when the new dietary came in. (*Entry in Medical Officer's Journal and extra diet book produced.*)

On the 4th of August he was put on "C." diet, the most generous scale of prison dietary. His term of imprisonment would only have entitled him to "B." diet. On the 4th of August he also was ordered white bread instead of brown, and the white was continued until he got ill. Mr. Flanagan was always cheerful; he worked well and looked well. I saw him at least three times a day; sometimes oftener. I had conversations with him almost every day. He was bright and clear in his mind. I was absent on leave the day (September 10th) Mr. Flanagan took ill.

By Mr. Lynch.—The cells are well white-washed. I do not know of my own knowledge who discovered Mr. Flanagan ill—I was away on leave. I dare say it was Dr. Gelston, but I cannot tell. Chief Warden Murphy was in charge.

I was told about the choking of the pipe the day it occurred. I happened to visit the yard; the warden was cleaning it. It was merely a temporary matter. I saw a prisoner at the sewer. I am almost certain it was Martin Cunningham. The warden told me the pipe was stopped. It was not Timothy Flanagan cleaned the sewer. He wore his own clothes. It was a prisoner wearing frieze. It was the pipe leading from the w.c., not the sewer, that was freed; it was freed, not choked.

I knew that Mr. Flanagan had been ill, because the Chief Warden wrote to me that he was ill. The letter said that Mr. Flanagan had got typhoid, and had been removed to the County Infirmary. I did not think it worth keeping; it was a private letter.

From the point of view of safe custody I would not like to put a prisoner into the "Female Prison."

I remember Mr. William Redmond, M.P., visiting Mr. Flanagan on August 6th. I was present at the interview. It took place in the Clerk's office. I did not care to bring Mr. Redmond to the visiting box. Mr. Flanagan told Mr. Redmond he was well treated. Mr. Redmond, when leaving, expressed himself pleased and satisfied with the way they (all the Crimes Act prisoners) had been treated.

M. O'SULLIVAN.

Sworn before me this 18th of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Dr. GELSTON, Medical Officer of Limerick Prison, having been sworn, states:—

I have been Medical Officer of Limerick for about thirty-one years. Since 1885 there has been no typhoid in Limerick Prison until the two cases in last September. I saw Mr. Flanagan on the morning of the 18th June. He came before me. I asked him if there was anything the matter with him, and he said not. I did not open his shirt to examine his chest. He looked perfectly healthy, and I passed him on as fit for hard labour. On the 20th of June the Governor told me that a man like Flanagan, a J.P. and Coercion prisoner, should, if I could see any medical

reason for it, be taken off the plank bed. I examined him with the stethoscope, and took his temperature. I could find really nothing wrong; but he complained of a pain in his back and side. Thinking this was due to the plank bed I ordered him a full bed on that day. I saw him every Sunday he was in prison. On July 8th, finding he had lost 4 lbs. in weight, and that he complained of not having enough to drink, I ordered him a pint of extra milk per diem. This continued during the whole term of his imprisonment, except two days. On July 11th he complained of indigestion, and I changed his prison diet completely, giving him bread and milk diet. This continued up to 17th of July.

On the 13th of September Mr. Flanagan complained of his bowels being confined, and feeling chilly. I took his temperature. I found his temperature 100, his pulse about 80. I ordered him to stay in bed that day, and put him on plain milk diet, with beef tea, and ordered him a little medicine for his bowels. He objected to this; he did not think he was so bad; he wanted to go back to his work. He went into his cell, and Dr. Fogarty was in the prison and came over with me to see him. Dr. Fogarty saw him, and agreed with me that it was a suspicious case. I visited him again that evening at 6 p.m. I found his temperature 102 and his pulse 90. In case of eventualities I had prepared the hospital ward by having a fire lighted in the ward on the morning of the 13th September.

On visiting him on that morning I found his temperature 102, pulse 96. I then ordered him at once to hospital, and sent out for a nurse (Nurse Wells) to take charge of him for day duty, and he was to be minded by Warder Scales—the prison hospital warden—at night. On September 13th I wired to Prison Board, "Flanagan's case very suspicious; have removed him to hospital this morning; temperature 102°; nurse employed."

Dr. Fogarty saw him again that morning. He agreed with me as to the treatment. We found on Flanagan's back one spot, but we were not certain it was a typhoid spot.

On visiting him in the evening I found his evening temperature 103°.

September 14th I visited Flanagan again. I found his morning temperature 102.4. The spot on the back was a well-marked typhoid spot. I found no spot on any other part of him. On this I recommended his discharge to the Lord Lieutenant. (*Report and recommendation produced. See Appendix V.*) Through-out the day of September 14th Nurse Wells took care of him.

He was unwilling to leave the prison, but did so on my advice. The order came-releasing him on September 15th, and the Governor of Limerick Prison wired that he was released at 12.40 p.m. on September 15th.

I got a stretcher—an ambulance stretcher—and brought over one of my nurses, and hired two men to carry it. I got Flanagan dressed, rolled in blankets, and put on the stretcher. I myself covered him over with a large rug, and he was carried to the County Infirmary, which is situate just opposite the prison. His transfer was done most carefully. He was carried upstairs, where there was a bed ready and a hot jar. I am also physician of the infirmary.

The day after he arrived in the infirmary (September 16th) he was slightly rambling. Delirium is an ordinary attendant circumstance of typhoid. This developed, subsequently, into acute mania, which is not an ordinary attendant of typhoid. It sometimes does occur in typhoid. He got acute mania as a result of typhoid. He was removed to the lunatic asylum on October 11th. While he was in the County Infirmary he got every care and attention.

If I were attending an ordinary citizen of Limerick in his own home who developed the symptoms developed by Mr. Flanagan, I would most certainly recommend removal to the County Infirmary. In cases of typhoid, where removal is advisable, the sooner it is done the better. Mr. Flanagan was decidedly removed in time. As typhoid, it was not a serious case; it was a light attack.

(*Dr. Laird's report when acting for Dr. Gelston, in August, was read. See Appendix VI.*)

All the prison water is boiled, and goes through a Pasteur filter.

By Mr. Lynch—I and Dr. Fogarty, Dr. Laird, Dr. Kennedy, Dr. Waters, Dr. O'Neill, and Dr. Macnamara of Corofin, saw Flanagan while under treatment. I heard Dr. MacGrath had been at the prison making inquiries to try and find out where the typhoid came from, and also with regard to the water and milk, as Officer of Health. The typhoid broke out in the prison—there is no doubt about it. I think the drainage of the prison is very good. I would not be surprised that a pipe was stopped—that might happen to any system, and it could be removed in five minutes. I never heard that one of the manholes was choked. My attention was not called to the stoneyard being flooded. I have seen it occasionally with surface water on it, after rain—not more than I would see in the streets of Limerick after rain. I have not seen water where the prisoners break stones, but on the other side of the yard.

To leave a soiled pail in a prisoner's cell from 12.30 p.m. until 6 a.m. next morning would not be right.

It would not give typhoid—you must have the typhoid bacilli there to get it. I gave my distinct opinion on Sunday, September 14th, that Mr. Flanagan had typhoid fever. Typhoid is a very difficult thing to diagnose. My opinion is that the typhoid was "air borne."

T. J. GELSTON.

Sworn before me this 18th day of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

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THIRD DAY.—WEDNESDAY, NOVEMBER, 19TH, 1902.

To: Rev. TIMOTHY LEE, Adm., St. John's; Catholic Chaplain to Limerick Prison, having been sworn, states:—

It is my duty as prison chaplain, in addition to my spiritual duties, to observe and see whether prisoners are badly treated, and notice their state of mind, and to report any complaints they may make.

I only saw Mr. Flanagan prior to 6th of July about half a dozen times. I then went on my vacation. During this time he never complained to me that his treatment was not fair and right, and, as far as I could see, it was. Sometimes he seemed in good spirits; sometimes he seemed more or less depressed. There was nothing on his mind as far as I could see. I visited him in his cell. He had a proper supply of books. I found his cell always clean and fresh. I occasionally walk through the prison yards; I have never noticed anything in the nature of a smell. There was a high degree of cleanliness in Limerick Prison, such a degree as you would expect in a public institution where much money is spent with that object. When I came back to Limerick I saw him in the County Infirmary, some two or three days before he was removed to the Asylum. For a short time he seemed excited, and then he calmed down. He seemed to be well cared. His mental condition was such that I did not do anything to induce him to go to his religious duties.

By Mr. Lynch.—The first time I visited him he appeared to be a man whose mind was all right. No wanderings or nothing that would lead me to a contrary opinion. He appeared quite sane; no trace of insanity. I am not aware there were complaints about the milk at that time. I was never informed on my visits to the prison that a pipe was found choked there. I know what is called the old female prison—sometimes occupied, and sometimes not. I have been frequently there. It is cared for, but it is not damp. It is not as well aired as the rest of the prison. I should say the front prison is better aired. A room frequently occupied is necessarily better aired than a room less frequently occupied. I never visited the prison during the afternoon on Sunday when Mr. Flanagan was there. I take it for granted Mr. Flanagan was treated as other prisoners. I was not aware that prisoners' buckets are left in their cells from 12.30 p.m. on Sunday until 6 a.m. on Monday. I noticed Mr. Flanagan sometimes somewhat depressed. He did not say that to me. I notice very many prisoners depressed. I took it on account of being where he was. After heavy rain I have seen water lodge in a small portion of the stone-yard. In a very perfect system of drainage you will see, if a heavy shower comes, a place will become flooded. There is a water tap in the yard. I have been in this yard when a number of prisoners were at work.

I have seen over twenty prisoners at work in this yard at the same time. The warden would prevent any prisoner drinking from the tap. There is a notice over the tap—"unfit for use"—and good water in the yard. There is usually one warden in charge of the yard.

(Rule 53 read to the chaplain).

By Inspector.—There was no such depression on Mr. Flanagan that would call upon me for a special report. It was a nervous, rather than mental depression, such as come to most prisoners, and particularly such as are of the position in life of Mr. Flanagan. When I go away another chaplain always takes my place. Father Murphy and Father Griffin acted for me.

TIMOTHY LEE.

Sworn before me this 19th day of November, 1902.

CHARLES E. MacDERMOT,

Barister-at-Law,

Inspector of Prisons.

The Rev. MICHAEL MURPHY, C.C., Catholic Chaplain's Substitute, having been sworn, states:—

I am Assistant Chaplain to Limerick Prison, and I have the care of the prisoners during the absence of the chaplain. I remember Father Lee going on vacation on 6th of July last. I took up his duties, with the assistance of Father Griffin. I remember Mr. Timothy Flanagan being in prison. I had care of him as acting-chaplain from July the 6th until he took ill, and after that in the Infirmary, and in the Asylum. I consider he was treated humanely by the Governor and officials. I never

noticed anything in the nature of depression in Flanagan. He looked like any ordinary prisoner, except to the extent of all prisoners who are deprived of their liberty. He looked in good health. He never made any complaint. I saw him about two or three times before his illness. I may have seen him more frequently in company with other prisoners. He had a proper supply of books in his cell. I used to ask him how he was getting on—whether he was able to take his food well—and he never made any complaint. He never made any reference to his affairs outside. Mr. Flanagan was a bachelor.

When he went to the prison hospital on the morning of Saturday, September 13th, I had twenty minutes' conversation with him. I did not consider at the time he was very ill. He seemed to be suffering from a heavy cold. I saw drinks (milk) by his bedside. I asked him was he able to take them. He said he was. I asked him was he well looked after. He said he was; he said he was very well cared. He seemed altogether pleased with his treatment. I next saw him in the Infirmary, September 16th or 17th; I considered he was very ill. He was not delirious; he was able to make his confession. He readily consented to go to his duties. I saw him after that frequently in the Infirmary. He was delirious the second time I saw him. At intervals during two subsequent visits he spoke to me—sauvily—and at intervals he became delirious. He appeared to be an excitable man while in the County Infirmary. I did not notice this while he was in prison.

By Mr. Lynch.—I regarded him to be as any ordinary man until I found him in the Infirmary. On the 13th he had not fever, but he was feverish. He did not become delirious until he was in the County Infirmary. On the first day in the Infirmary he was not delirious. He went to his duties. It was on my second visit I found him delirious. I cannot tell the name of the nurse who told me Mr. Flanagan had typhoid. I did not notice Flanagan depressed nor excitable while he was in the prison. It did not surprise me to find him delirious; it is the usual course of typhoid.

I was never informed during my visits to the prison that a pipe was found choked there. I have been attending Limerick Prison about four or five years.

By Inspector.—During these four or five years I never noticed a smell in Limerick Prison.

By Mr. Lynch.—After a heavy fall of rain, I noticed a little—a very little—water collected in the stone-yard on two or three occasions. It is my route to the hospital, and I must go to the prison hospital every time there is a patient there. On the two or three occasions I saw water in the stoneyard, it was so little that I could step over it. I frequently saw the prisoners in the stone-yard with more than one warden. I never saw them without a warden in charge. I consider one warden to be in charge sufficient.

MICHAEL MURPHY, C.C.

Sworn before me this 19th of November, 1902.

CHARLES E. MACDERMOT.

Barrister-at-Law,

Inspector of Prisons.

Chief Warden DENIS MURPHY having been sworn, states:—

I am Chief Warden of Limerick Prison, and I have been close on eighteen years in the prison service. I heard the Governor examined yesterday. I agree with him that Mr. Flanagan was treated with humanity and kindness. He was a well-behaved prisoner, always willing to apply himself to any work he was put to. He was a hard-labour prisoner. The class of hard labour he was put to on his reception was chopping wood. Wood-chopping is the easiest kind of hard labour, and it is in the open air. Some years ago it was an industrial labour, and was not hard labour. The woodshed, where Flanagan worked during the first month, is in the stoneyard. It is one of a range of sheds. The yard is sunny, and dry and open. The shed in which Mr. Flanagan worked was about twenty yards away from the spot where the water is alleged to lodge during heavy rains. I never saw much water there. I would call it a dry yard. There are two w.c.'s in the yard. They are always kept in good order—well flushed. Prisoners sometimes put paper and rukhers down the closet. Obstructions can be easily got out. I remember the stoppage in the stoneyard referred to yesterday. It was got out at once.

I saw Mr. Flanagan during the time of his imprisonment ten or fifteen times a day. He was cheerful, and made no complaints. He never said anything about the food. At the end of the first month, Mr. Flanagan went into the wood-yard. He was put to carpentering work. He was not a carpenter by trade, but he asked to be put to it. We wanted to get stools made, and we put him to it. This shed is in another yard, and is a healthy, sunny yard. He remained there until he was taken ill. If on Sunday a prisoner uses his pail during the day, he must ring his bell, and it would be taken away. The proper thing would be for him to go to the ward water-closet. If he uses his pail after 6 p.m. on Sunday, it must remain in his cell until 6 a.m. the following morning. If a prisoner used his pail between 12 noon on Sunday and 6 p.m., and did not ring to have it taken away, he would be punished.

If prisoners want a drink when at work or at exercise, they can get it from a can in the centre of the yard, by holding up their hands and falling out. They are told what the can is there for. The water is boiled, and has been boiled as long as I have been in Limerick Prison, since March. A warden would prevent prisoners from drinking at the tap, and the prisoners would be punished if they attempted to do so. I have never seen a prisoner drinking from the tap. The Governor went on his vacation about the 10th of September. I took over charge. Mr. Flanagan reported himself unwell on the 12th of September. He went before the doctor, who examined him, took his temperature, and ordered him to rest in bed. On the following day, September 13th, the doctor ordered Mr. Flanagan to the prison hospital. On the 14th he reported Mr. Flanagan's illness to the Under-Secretary. About 12 noon on September 15th, a telegram came from the Under-Secretary, ordering his release. About 12.40 p.m. on the same day he was transferred to the Infirmary with care, under the supervision of the Medical Officer. [Extracts from Medical Officer's journal produced; also his report recommending the prisoner's release, with telegram to Prison Board, and formal notification to Under-Secretary of prisoner's release. See Appendix V.] While he was in the prison hospital he had a trained nurse—Nurse Wells. No prisoner attended on him. Mr. Flanagan was well treated. He told me so. When leaving on the stretcher for the Infirmary, he said he could run like a hare. He did not consider himself very ill. He said: "I'd as soon remain in the prison hospital till my time is up." He appeared to be satisfied with his treatment, and always expressed himself so.

By Mr. Lynch.—From the time he entered the prison until he left he was never seen by a magistrate or visiting justice, except in the presence of a prison official.

I was present when Mr. Redmond visited Mr. Flanagan. Mr. Redmond did not object. Mr. Flanagan was removed to prison hospital on September 13th. I never noticed Mr. Flanagan off his bed at all. He was in his perfect senses on the 15th—the day he was removed to the Infirmary. I don't think he was then very sick. During the time Mr. Flanagan was in prison I visited him on Sundays—every third Sunday. On other Sundays the clerk (McCarthy), and storekeeper (Hegarty) were on duty. Hegarty was away from the prison for eight or nine days while Flanagan was in prison.

The pipe which was stopped in the yard was only stopped for a few minutes. It was stopped by human nuisance. The pipe was all right in the morning at about 7 a.m. It is my duty to see every day that the closets are flushed.

I know the water tap in the stonewall. I could not give you the date when Linnane painted the notice. He only repainted it to make it fresh-looking. Linnane repainted it when he had been about a month in prison. It was quite readable before. Up to 6 p.m. on Sunday, a prisoner can get to the closet by ringing his bell—not after 6 p.m. After 2 p.m. on Sunday all the officers get off duty except two.

On June 17th there were 84 prisoners in the prison.

On September 13th there were 87 prisoners in the prison.

On July 17th there were 80 prisoners in the prison.

On August 1st there were 82 prisoners in the prison.

All these prisoners were left in charge of two warders from 1 p.m. on Sunday until 6 a.m. on Monday, in summer. I would be surprised to hear that a prisoner rang his bell and did not get an answer.

Sworn before me, this 19th of November, 1902.

DENIS MURPHY, C.W.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Dr. WILLIAM FOGARTY, having been sworn, states:—

I am a physician, practising in Limerick, and attached to County Infirmary. I visited Limerick Prison on September 13th. I saw Mr. Flanagan with Dr. Gelston. He was in his cell in bed. After examining him, I agreed with Dr. Gelston that his case was one to keep under observation, as there were no symptoms except his temperature. He was bright and cheerful.

I next saw him on the morning of the 13th September; he was then in the prison hospital. Dr. Gelston and myself examined him carefully on that morning; we came to the conclusion that it would very probably develop into typhoid fever. The only indication he had was a suspicious spot on his back. It was an ill-defined spot, but we could not say whether it was a typhoid spot. Whatever Mr. Flanagan was suffering from it was in an undeveloped stage. It had not reached such a stage as to make removal dangerous, even to a much longer distance than the County Infirmary. Where removal is safe it is best for a patient, especially in a case of typhoid fever. Supposing the case was typhoid, I considered the food he was getting was a proper diet.

By Mr. Lynch.—In my opinion he contracted fever in prison. I myself think it was the water supply, because of the outbreak in the city. I think it very improb-

able that the contagion came from the atmosphere; the typhoid bacilli would have been stopped by the high wall. If a pipe is allowed to remain choked, it is likely to contaminate the air. Bed water could not give a man typhoid unless the germ has a bell by which he can get his soil bucket taken out at any time except during dinner, I would consider that sufficient. If his bell was not answered it would be a serious matter.

W. A. FOGARTY.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Warden SCALES having been sworn, states:—

I have been hospital warden in Limerick Prison since last June. Previous to that I had about 3½ years' experience as hospital warden in Mountjoy Prison. I saw Mr. Flanagan almost every day while he was in prison. He never made any complaints. He looked well and always seemed cheerful and bright. He told me he liked the carpentry work, and hoped he would be kept at it until he went out.

On the 12th September I brought him before the doctor, he having complained of being sick; he said he was getting a touch of influenza.

On September 13th he was removed to hospital. Nurse Wells attended him by day, and I attended him by night. I came on duty 9 p.m., and remained on duty until 9 a.m. next morning. He slept well the first night he came into hospital. He had one pint of beef tea, and he drank about one pint of milk mixed with soda water.

On September 14th he was attended by Nurse Wells. I came on duty 9 p.m. that night. He said he was not worse, but appeared to be excited. He took about 1½ pints of milk and half pint of beef tea. He did not sleep well that night. He did not complain, but was rather annoyed at his going out to the Infirmary. He said he knew he would not be better cared for anywhere than in prison. He received every kindness while in the prison hospital, and seemed to appreciate it.

By Mr. Lynch.—Flanagan drank 2½ pints of milk while he was in hospital during these two nights. He complained he was ill about 8 a.m., and was kept in his cell all day up to about 12 noon next day, by Dr. Gelston's orders. Dr. Gelston saw him twice, once in the morning and once in the evening. In addition to the prison fare, he got milk and soda water; no stimulants. He was perfectly in his right mind when leaving the prison.

J. SCALES.

Sworn before me this 19th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

FOURTH DAY.—THURSDAY, NOVEMBER 20TH, 1902.

Warden MONDS having been sworn, states:—

I have been over nine years in the Prison Service, and over seven years in Limerick Prison. I have been present during this enquiry, and have heard the evidence about the stopping of the w.c. drain pipes. I think the stoppage occurred about the end of June. I was on duty about 3 p.m. in the stoneyard. I noticed when passing that the flushing of the w.c. was not effective; I saw it was not effective. I found no smell. There was an over supply of water in the w.c.; it was not overflowing. It was stopped by paper. I thought the pipe was stopped. I called a prisoner—(I believe, prisoner Cunningham)—from the next yard. I told him to go to the plumber's shop and bring me the sticks or rods belonging to the cleaning machine. He brought two sticks with a piece of iron with a hook on the end. He said he would put the hook into the w.c. to see what was in it. I said "No; remove the trap at the gully opposite the w.c." (about 6 feet from the basin of w.c.). He put the stick up the pipe and cleaned it out, and the water rushed through. There was no flooding at the trap at all. Except on this occasion I never saw the w.c. out of order.

By Mr. Lynch.—The closet was stopped only about fifteen minutes. It is constantly in use, and if it had been long stopped it would have flown over. The two sticks were sufficient to clear the pipe; the iron rod was there, but it was unnecessary to use it. It took about four minutes to clear it. Flanagan got superior treatment to ordinary criminals. He was two days on the plank bed; he should have been fourteen days. He got a lot of extra diet. He got much easier work than the ordinary prisoners. He was treated fairly, kindly, and humanely. Who was the first to discover he was sick? He himself. Whenever I have been sick I have been the first to discover it. I have no doubt about it Flanagan was sick. He got sick in the prison. The doctor said it was fever. I saw him shortly after he came into the prison. He was in perfectly good health then.

From 12.30 p.m. on Sunday until 6 a.m. on Monday only two warders are in charge. But the two are quite sufficient for all purposes.

EDWARD MONDS, Warder.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

MR. MICHAEL KELLY having been sworn, states:—

My father has the dairy farm which supplies the prison. I look after his business. The dairy farm is called Moylish; is situate about a mile and a half from Limerick. I have about forty milk cows. We have three women and three men in our employment. There is a house on the farm; an uncle of mine lives there. There has been no illness in the house, nor any illness among any of the workmen or workwomen. There has been no illness in their families that I am aware of. I am particular about that. I do not water my milk, and I know my men do not. They would be dismissed if they did. I never had any complaints about the milk from my customers. The milk pails are scalded with boiling water and a brush used before using.

The names of some of my customers are:—Messrs. Birney, Limited; Messrs. Cannock & Co., the Christian Brothers, the Female Prison, as well as the Male Prison. Excepting in the Male Prison, I never heard of there having been any case of typhoid among any of my customers. We have supplied the prison since 1886, with the exception of one year. We make no distinction between the prison and our other customers; it is all the same milk.

By Mr. Lynch.—I never heard there was a complaint about the milk.

MICHAEL F. KELLY.

Sworn before me this 20th of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

Mr. Kelly produced a letter from the Christian Brothers, saying the milk supplied to them was good, and there had been no illness in their community.

C. E. MACD.

MICHAEL CORBETT having been sworn, states:—

I am in the employment of Mr. Kelly for thirteen years. I see the milk vessels scalded. The water is taken from a spring well in the yard. It is pumped up from a deep well, about 36 feet deep. The yard is a clean yard. No manure is kept in the yard, and the stall-fed cattle are about fifty or sixty yards away. The water is boiled in the boiler, and the vessels are thoroughly scoured. When they are thoroughly scalded they are washed down with spring water out of the pump to cool them. All the water used on the farm comes from the pump.

By Mr. Lynch.—I never heard of them watering the milk at Moylish. I swear it wasn't watered. I never heard any complaint of the prison milk being watered.

MICHAEL CORBETT.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

Dr. H. S. LAIRD, Resident Physician of the County Infirmary, having been sworn, states:—

I am a L.R.C.P.I. and have been practising in Limerick about five years. I act for Dr. Gelston, the Medical Officer of the prison, while he is away. I took up duties for Dr. Gelston on the 3rd of August.

I made my first inspection of the sanitary arrangements of the prison on the 24th of August. (Entry under that date from Medical Officer's journal produced. See Appendix VI.)

I thought the sanitary arrangements of the prison good, and the flushing of the sewers ample. The boiling of the water would kill any typhoid microbe; it is really the only absolutely safe course to take.

I saw Mr. Flanagan first on August 3rd, about a month before he got ill. He looked very well. He was being exercised alone with Mr. Linnane. On August 17th I again saw Mr. Flanagan; he was well.

On 3rd of August above referred to, Mr. Flanagan complained that the brown bread did not agree with him, and I gave him white instead.

I saw Mr. Flanagan in the County Infirmary on the 4th of October. I took charge of him there then. At this time he had recovered from the typhoid, and was suffering from acute mania.

Delirium is an ordinary accompaniment of typhoid, but not acute mania. Acute mania sometimes occurs. It is so unusual that, for the purposes of treatment, I would look for other causes. I made inquiries. I heard he never had an attack like that before. If he had it would have explained the recurrence. I then made inquiries from his brother. Later on he told me something about his brother—he said he used to get fits. Typhoid would not have produced the acute mania, I think. I don't think the mere fact of imprisonment would. On the 11th October he was removed to the Asylum.

By Mr. Lynch.—I think he contracted the typhoid in prison. I would not say Limerick City was very sanitary. I think the sanitary arrangements are good in Limerick Prison.

I saw the notice "Unfit for drinking purposes" often. I know the tap over which it was. It would not be well to allow people to drink out of this tap. I don't know from what cause Flanagan got typhoid fever.

Flanagan was looking very well when I changed his bread from brown to white bread. He had no teeth of his own, and therefore I changed it. There is often objection made to the brown bread, even by prisoners who have good teeth. It is not as tasty as the white bread.

When I first saw him on 4th of October, I discovered he was off his head. It is just possible a man might get acute mania from typhoid, but very unlikely. I don't know what is the cause of Mr. Flanagan's madness.

By Inspector.—It is not, in my opinion, the typhoid or the mere fact of his imprisonment. I would look to some hereditary cause. I look to hereditary cause because there was no other.

H. S. LAIRD.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Mr. JOHN GUINANE, J.P., having been sworn, states:—

I am a visiting Justice of Limerick Prison. I saw Mr. Flanagan every Sunday but one during his imprisonment, and often during the week, and also in the prison hospital.

I always found him well and cheerful. The only complaint he ever made was one day about the cocoa and the bread. I told him to go before Dr. Gelston, and I was sure Dr. Gelston would do all he could for him. He appeared satisfied with his prison treatment with this exception. I think he was well treated, but I think it is hazardous to put gentlemen with ordinary prisoners.

I believe the Governor and the officials were as kind and humane as any officers could be. I am visiting the prison about eighteen years.

By Mr. Lynch.—The system of sewerage in Limerick Prison is fairly good. I would not give much for a pipe getting choked. I believe the prison sewerage is the very best that can be had. You have splendid flushing in the prison; we have not that in our streets, but it is good.

We had typhoid in the city, but you will get typhoid in Paris. The prison sewerage is very good; it could not be better. In no gentleman's house could it be better. I know the backyard (stoneyard). After heavy rain a little water must accumulate.

Looking up prisoners from 12 noon on Sunday to 6 a.m. on next morning is the rule of the prison. It could be improved on. I know the water tap Liamane had to paint. I think it was an easy job. They sometimes got easy jobs. I would not mind drinking from the tap. It is a mixture of rain water and town water. There is no occasion for a prisoner to drink out of it.

JOHN GUINANE.

Sworn before me this 20th of November, 1902.

CHARLES E. MACDERMOT.

Barrister-at-Law,

Inspector of Prisons.

Mr. MICHAEL GRIFFY having been sworn, states:—

By Mr. Lynch.—I live at Corodn. I am seventy-one years of age. I was sentenced at the same time as T. Flanagan. I arrived on 17th of June. I did not get hard labour. I was put into the stoneyard. I did not get plank bed. I was tying sticks in the stoneyard all the time (two months). Mr. Flanagan was one month in the same yard working. On one occasion I found an offensive smell for a day or so. It became unbearable, so that we had to remove back into the sheds. It was the latter end of July. I saw Cunningham clear the place.

On Sundays my bucket was left in my cell from 12.30 p.m. until 6 a.m. next morning. Once I rang my bell about 3 p.m. to go to the closet on Sunday. The warden (Mr. Kehoe) said: "Once you are locked up you must remain so. You have your tin there." I was told when I came I had only to ring my bell. I had to use my bucket. I saw Mr. Guinane that day. I did not tell Mr. Guinane. (Mr. Guinane here stood up and said he did not remember the incident). It remained there until 6.30 on Monday morning. I was treated kindly in Limerick Prison. The only complaint I had was of the bad water. I never saw any of the prisoners drinking out of the tap, because of the notice that was on it. I drank out of the bucket. There was no distinction made between the Crimes Act prisoners and other prisoners. The bread was very good bread, but I had no teeth to eat it. I had enough.

MICHAEL GRIFFY.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Warden KEHOE having been sworn, states:—

I have been nearly twenty years in the prison service. I never on any Sunday while prisoner Griffy was in Limerick Prison refused to allow him to go to the w.c.

By Mr. Lynch.—If he rang the bell during meal hours, I would answer it. I knew his cell. I often saw him on a Sunday. I never refused to let him out. I would not let him out during meal hours. I would not take the slop pail away during meal hours. The meal hours on a Sunday are the same as on week days.

D. KEHOE, Warden.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT, B.L.,

Barrister-at-Law,

Inspector of Prisons.

Mr. PHILIP HOLMES, D.I., R.I.C., having been sworn, states:—

I am District Inspector at Corodn. I have been stationed there for three years. I knew Mr. Flanagan well by appearance and acting as magistrate. He was in the employment of a farmer named Walter Russell—in charge of the farm, and managed his business generally. He lived in Mr. Russell's house, and got paid about £16 a year, and some grazing. He was a very excitable man. He acted fairly well as a magistrate. His family are as follows:—He has a brother called James, a sister called Mary, a brother named Tom, and a third brother, whose appearance I don't know. His mother is alive. His brother James is subject to epileptic fits, and his sister Mary is an imbecile.

By Mr. Lynch.—Up to his arrest he was in a position of trust in Mr. Russell's establishment. I never heard any complaint from Mr. Russell or anyone as to the way Mr. Flanagan managed his business. Flanagan looked a strong, healthy man. He discharged his duties fairly well. I never had any complaint to make against him as a magistrate. Before the complaint was made by Flanagan about Sergeant

M Millan watching him, there had been some altercation between him and Sergeant M Millan. Flanagan's excitement on the occasion of the charge against Sergeant McMillan was not the excitement of an ordinary man who has an altercation with the police. It was that of a man who had been drinking for some days and whose nerves were shattered. I don't know exactly what the altercation was, but some words passed between them.

P. A. HOLMES.

Sworn before me this 20th of November, 1902.

CHARLES E. MACDERMOT.

*Barrister-at-Law,
Inspector of Prisons.*

Acting-Sergeant DANIEL MACDONAGH, R.I.C., having been sworn, states:—

I have been about seven years quartered in Corofin. I knew Mr. Flanagan for the last seven years, and I knew some of his family. He was a hot-headed, excitable man. He acted fairly well as a magistrate. By common report Flanagan's brother James is an epileptic.

By Mr. Lynch.—I have nothing against Flanagan. As far as I could see by him, Mr. Flanagan was a good magistrate; always discharged his duties.

DANIEL MACDONAGH.

Acting-Sergeant 51.231.

Sworn before me this 20th of November, 1902.

CHARLES E. MACDERMOT.

*Barrister-at-Law,
Inspector of Prisons*

Constable CHARLES SMYTH having been sworn, states:—

I have been quartered at Corofin five years and four months. In my opinion, Flanagan was a very excitable man. I knew four of his brothers—Tom, James, and Pat; the fourth, who has gone to America, was a commercial traveller, and I only knew him as Mr. Flanagan. I have heard that James was subject to epileptic fits.

By Mr. Lynch.—The information about the epileptic fits is the common report of the country. On one occasion I would have arrested Flanagan for drink, but I did not think it judicious, as he was a magistrate and there was a crowd. I think Mr. Flanagan was a man who drank to excess.

CHAS. SMYTH.

Sworn before me this 20th of November, 1902.

CHARLES E. MACDERMOT.

*Barrister-at-Law,
Inspector of Prisons.*

Constable PATRICK McDermott having been sworn, states:—

I was stationed at Corofin. I knew Mr. Flanagan's two sisters, Bridget and Mary. Mary Flanagan is an imbecile. I saw her in her own house last April.

By Mr. Lynch.—Mr. Flanagan discharged his duties as a magistrate properly.

PATRICK McDermott, Constable.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

Mr. THOMAS FLANAGAN having been sworn, states:—

I am Thomas Flanagan, brother of Timothy Flanagan. He has managed Mr. Russell's farm for about thirteen years, buying and selling, and having charge of his money. He was in perfect health up to the 17th June. Until then he never suffered from any disease. He was up to that time very strong. After that I saw him in prison—in about two months' time. He looked very much cut up. The

next place I saw him was in the County Infirmary. He had been only about two days there. He knew me and could speak intelligently to me. When I next saw him he was very delirious and excited; he did not recognise me then. I was present when he was removed to the Asylum. He complained to me in the Infirmary of the bad smell in the prison. This was on my third visit. He was delirious on my second visit.

By Inspector.—He never made any complaint about the bad smell on the occasion of my visit in prison.

My sister Mary is not an imbecile. She is not weak in her mind. Martin is in America, and was always right in his mind. My brother James was also always strong in his mind. He is not an imbecile.

THOMAS FLANAGAN.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Mr. JOSEPH SULLIVAN having been sworn, states:—

By Mr. Lynch.—I live at Corofin. I was sentenced to three months, and received into Limerick Prison 17th of June. Flanagan accompanied me into prison. The second day of his imprisonment he said: "I don't think we will be able to bear it." He complained that the bed he got was as bad as the plank bed. He complained he got exceptionally bad treatment. On his first visit he was not allowed to shake hands with his friends when other Justices of the Peace were. He felt it much. I noticed a change in his appearance afterwards. I was working in the backyard with him; I found a smell there in two different places. I found the smell in both places—the timber-yard and the stoneyard. It was very bad for half-an-hour before Warden Moads came on duty. I have seen prisoners drink from the water tap several times.

JOSEPH SULLIVAN.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT.

Barrister-at-Law,

Inspector of Prisons.

Mr. PATRICK FLANAGAN having been sworn, states:—

By Mr. Lynch.—I saw my cousin Tim Flanagan in prison. I only saw him once in prison. There was a warden present. I knew Timothy since he was a child. I never knew him to suffer from any illness of any description. I saw him in the Infirmary. He looked very bad. He was all right before he went to prison.

PATRICK FLANAGAN.

Mary Flanagan, Timothy Flanagan's sister, has a slight physical deformity. Her mind is all right.

PATRICK FLANAGAN.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Mr. JOHN LYNCH, J.P., having been sworn, states:—

I am a Magistrate of the County of Limerick. I visited Limerick Prison while Mr. Flanagan was there nine or ten times. I found him looking fairly well, and slightly thinner. He did not say at any time he was badly treated.

About 6th September, Flanagan complained of a smell. I did not investigate it. He said it was from Mr. Shaw's stores (a bacon factory adjoining the prison) when the wind was blowing in a certain direction.

By Mr. Lynch.—He said the smell had been there for three days. I knew Mr. Flanagan intimately before he was sent to prison. He had all the appearance of an active, healthy man.

I was never told on any occasion that a pipe was found choked. I was not told how long prisoners are locked up on Sundays.

JOHN LYNCH.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Warden PATRICK CROWLEY:—

By Mr. Lynch.—I remember Flanagan being in prison. I was in the stone-yard when prisoners were working there. I never heard about the choked pipe until I heard it in court. I smelt the bacon factory one day. I did not like this smell.

PATRICK CROWLEY, Warden.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Dr. MACNAMARA having been sworn, states:—

I am dispensary doctor of Corofin. I have been twenty years appointed. I knew well several members of the Flanagan family. James, the eldest, I treated for epileptic fits. I once visited Flanagan's house. I did not see his sister Mary. I understood she was not fit to be seen. I heard she was defective in her mind. I thought Timothy Flanagan was an exceedingly excitable man. I don't think he was a man of average balance of mind. He was easily excited.

By Mr. Lynch.—Mr. Flanagan was chairman of the District Council and a magistrate. I knew him well in both capacities. I was here when Mr. Holmes was examined. I believe he discharged his official duties well. He was a very healthy man, but had, I believe, a neurotic taint. I never attended him, nor did I ever hear he was ill. Mr. Russell always praised Tim Flanagan to me. I did not see Mary Flanagan. I heard she was an imbecile. It is a matter of notoriety. I heard it before this trial commenced at all.

GEO. N. MACNAMARA.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Dr. O'NEILL having been sworn, states:—

I am Medical Officer of the Limerick Asylum. I have been such for nearly thirteen years. It is in my care Mr. Flanagan is now. Previous to his reception in the Asylum, I had seen him in the County Infirmary. I first saw him on the 6th October. He was then acutely maniacal. Acute mania is quite distinct from the ordinary delirium which sometimes accompanies typhoid. I was told he had had typhoid. I saw his chart. It is very exceptional for acute mania to follow typhoid. The success of our treatment in an asylum very largely depends on finding out the causes of mental derangement. I made inquiries about the personal history of Mr. Flanagan. His brother (Thomas) told me he had a brother who suffered from epilepsy. His father was dead; his mother was living. He said he had noticed for a good time past (a couple of years) that his brother Timothy used to talk to himself. He also said he used to drink a good deal after meetings.

I saw Flanagan on a second occasion in the Infirmary on Wednesday, October 8. He was then in about the same condition. I then suggested his removal to the Asylum, but as some of his friends were anxious that he should be kept in the Infir-

mary a little longer. I decided to leave him there until Saturday. On Saturday, October 11, he was committed to the Asylum as a dangerous lunatic. He was removed with safety on October 11. I have looked up in the register of the Asylum from January, 1880, to 11 October, 1902, and, out of 2,701 cases, I have only found two cases of any form of mania following typhoid. It is a very unusual phenomenon.

The predisposing causes of acute mania following typhoid may be:—Mental worry, shock, excitement, fright, grief, privation, and heredity.

By Mr. Lysick.—He was suffering from *post-typhoid* insanity in the form of acute mania. The fever was the exciting cause. It was the main factor. Before I went away on vacation it was a well-known fact that typhoid was prevalent in the city. You must wait for the eruption of the typhoid before you can give an opinion. I think the doctors diagnosed Flanagan's case very rapidly and very accurately. There is no doubt but that he contracted the typhoid in the prison. Bad water is conducive to typhoid if it contains the germs of the disease. Bad air is highly injurious; but the germs must be floating about to give typhoid. A slop pail is unpleasant, and being unpleasant, is injurious. I would not allow such a thing in an institution if I knew of it.

At the conversation about Timothy Flanagan, speaking to himself, I was told also by Tom Flanagan that Timothy Flanagan was of strong constitution. Dr. Laird was present at the conversation.

R. D. O'NEILL.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law.

Inspector of Prisons.

FIFTH DAY—FRIDAY, NOVEMBER 21ST.

Mr. MICHAEL JOSEPH O'BRIEN having been sworn, states:—

By Mr. Lysick.—I am a publican in the town of Ennis. I have been in the Civil Service as an Excise Officer. I know Mary Flanagan intimately. She is a hunchback. I heard other members of the family say she met with an accident. I know her for the last eleven years. I have had ample opportunities of seeing whether she was an imbecile or not. I was in her mother's house; she has been in my house on business. I found her as sound and rational as any other person. I have been in her mother's house from 9 in the morning until 6 in the evening.

By Inspector.—She goes to her duties, but she does not go to church. She has to stay at home. She does not, I believe, remain away from church by reason of any mental imbecility.

M. J. O'BRIEN.

Sworn before me this 21st day of November, 1902.

CHARLES E. MACDERMOT,

Barrister-at-Law,

Inspector of Prisons.

Alderman JOHN O'BRIEN having been sworn, states:—

I have acted this year as *locum tenens* for the Mayor of Limerick. I remember about July or August the Mayor of Limerick going to Kilkee. In his absence I visited Limerick Prison on three Sunday evenings. I saw Mr. Flanagan on these occasions. I asked him how he was, and he said he was all right. I talked for a while with him, and he had no complaint to make. I sympathised with him, and thought a man like him should not go to prison. I did not notice him in low spirits. On the last occasion he seemed in a little low spirits on account of two other Crimes Act prisoners going out the following week.

By Inspector.—"Did you notice any smell or anything disagreeable in the prison while you were there?"

"Indeed, I did not, sir."

I visited the other Crimes Act prisoners; they made no complaint. As far as I could see the men were treated by the officers very nicely. I did not go to the prison out of curiosity. I went to see if anything was wrong, and if I found anything wrong, I would have made it known pretty soon.

By Mr. Lynch.—I saw the prisoners something after 3 p.m. I saw Mr. Flanagan in the bottom cells. Mr. Flanagan looked well and strong, as far as I could see, and healthy. He was perfectly intelligent in every way.

The second time I saw him I saw him in his cell. I noticed no change in him. The third time I saw him in the same cell.

I used to go into the cell to see Mr. Flanagan, and always the warden remained outside—stood at the door. The door was open. The warden may or may not have heard what I was saying. We spoke together openly. I never found a smell in the prison. I never spoke to the Governor but once in my life, and on that occasion he refused me admission to the prison as not being a magistrate. I went to the prison on the occasion when the Mayor was away, to see the three Coercion prisoners. I know nothing about the prison rules. . . . On the third occasion I saw him, he did not look worse in his health. I never heard the pipe was choked. I never heard the Limerick Prison was insanitary. I asked Flanagan on every occasion about his health. He did not tell me on the last occasion he was worse, but he said he was a bit lonesome, the others going out. I had no opportunity of seeing Flanagan after he got sick; the Mayor was in town. I was told prisoners were locked up on Sundays at 12.30 p.m.

By Inspector.—If it had been my own son I had seen in prison, I would have been satisfied with his getting the same treatment as these three men. They made no complaints, and I could not make complaints for them.

JOHN O'BRIEN.

Sworn before me this 21st day of November, 1902.

CHARLES E. MACDERMOT,

*Barrister-at-Law,
Inspector of Prisons.*

STEWART WOODHOUSE, Esq., M.D., having been sworn, states:—

I am a Fellow of the Royal College of Physicians, and I hold the Diploma of Public Health. I am Medical Member of the Prisons Board. I have had considerable experience of fevers in connection with the Hardwicke Fever Hospital. I also acquired a special experience in connection with the outbreak of fever in the West of Ireland in 1880. On 17th September I came down to Limerick to investigate the case of Mr. Flanagan and the outbreak of typhoid in Limerick. There is not the slightest doubt that Mr. Flanagan developed the fever in Limerick Prison. The result of my inquiries I embodied in a report for the information of the general Prisons Board. (Report put in, see Appendix VII.) I can add nothing to what Sir Acheson MacCullagh said as to the outbreak of typhoid in the city of Limerick. I have searched back the records for thirteen years, and except Crowley's and Flanagan's cases, there has been no case of typhoid fever in Limerick Prison. I was told Crowley recovered. The carriers of typhoid fever are water, food supply, such as milk, and dust borne by the air. Water is the chief medium. I am satisfied that the milk supplied to the prison was not the channel of contagion. As to the prison water, the facts are these:—For over twelve months past, the drinking water, and the water put into the cells, has, as a precaution, been boiled. Boiling absolutely destroys the microbe germs. The water used is that coming from the public water supply of Limerick with the additional safeguard of boiling.

I have heard the references to the tap in the stone-yard. The water that comes from that tap is town water mixed with a little rain water. If prisoners want a drink at work or at exercise, there is a bucket of boiled water in the yard, with a pankin to drink from. A prisoner could only drink at the tap by closing the warden in charge, disregarding the notice "unfit for use," and then either putting his head under the tap or catching the water in his hands, as there is no vessel under it. If there had been a tank of typhoid-infected water in the stone-yard while Mr. Flanagan was there (from June 17 to July 17), and had he drunk of it, typhoid fever would have developed within a period from seven days to three weeks. It was quite impossible for the typhoid fever which developed in September to be attributed to anything Mr. Flanagan could have got in the stone-yard between June 17 and July 17. With the exception of the little rain water mixed with the tap water, all the prison water supply comes from the same source, viz., the public water supply of Limerick. The water used for drinking and washing in the prison is, and has been for a considerable time, boiled. The only other water a prisoner might drink which is unboiled is the water in his bath, which is not heated up to a degree sufficient to kill the germs. A prisoner gets a bath once a fortnight. I find Mr. Flanagan had a bath on September 6th. This would not have given time for an incubation appearing on September 12. Before that he had a bath on 23rd August. If the water were infected then and he had drunk of it, I would have expected typhoid fever to have developed earlier. This would have given twenty days for the development of the germ, which is possible, but uncommon. I consider

the employments Mr. Flanagan was put to (wood-cutting and carpentry) were wholesome ones, and in a wholesome place. His work was all in the open air, and in the summer months. I examined the cell occupied by Mr. Flanagan previous to his illness. It is a large cell (835 cubic feet) and well ventilated. It is also boarded. I know the hospital ward in the prison in which Mr. Flanagan was placed. It is a good ward, with three windows, and well ventilated. Its cubic space is close on 3,000 cubic feet. Mr. Flanagan got a pint of milk daily after three weeks' imprisonment, and this was continued up to the time of his illness. He also got from 4th August white bread instead of brown, and Class "C" diet instead of "B" diet. In reporting Flanagan's illness, I think Dr. Gelston acted with proper promptitude. On the 14th of September, Dr. Gelston sent his report recommending Flanagan's discharge. It was received by the Prisons Board on the morning of the 15th of September, and within a few hours, by order of the Lord Justices, his discharge was telegraphed (from the Chief Secretary's Office) to the Governor of Limerick Prison. When I subsequently came down to Limerick Prison to inquire into Mr. Flanagan's illness, I satisfied myself that Mr. Flanagan had been carefully and properly treated, both as a prisoner and an invalid.

By Mr. Lough.—I never saw Mr. Flanagan myself. The first information I got of Mr. Flanagan's illness was on the 16th of September. There is no holiday time in the prison. Officers have to take their holidays when they can get them. Mr. Flanagan was first reported ill on September 12th. Dr. Gelston visited him twice on that day.

Why was he discharged so quickly?—*A.*—Because there was no further doubt as to its being typhoid fever. On the 16th of September there was no doubt. It is difficult to diagnose typhoid. The prison doctor, I think, diagnosed the case quickly. A prison doctor sees all the prisoners at stated times, irrespective of whether they are sick.

On 4th August, Mr. Flanagan got white bread for brown, the medical reason being *dyspepsia*. On 8th July, he first got the one pint of milk extra, the medical reason being *dyspepsia*. He had lost 4 lbs. weight; he subsequently pulled up 3 lbs. The only extra he got was one pint of milk; the others were substituted diets. My belief is that the most probable cause of Mr. Flanagan contracting typhoid fever is that it was "air-borne." It was carried atmospherically. It could have been blown over the 20 feet wall. If he drank water from the tap it would be more conducive to produce typhoid than the dust blowing over the wall. If a bucket were left in a prisoner's cell for twelve hours, it would not be conducive to typhoid. As an emergency, the bucket system is not objectionable. I was never informed of a pipe being choked during the term of Mr. Flanagan's imprisonment. It would be a serious breach of prison discipline if a prisoner rang his bell and it was not answered. It would be a serious thing if a prisoner was not allowed to go to the closet within proper hours.

STEWART WOODHOUSE.

(Dr. Woodhouse put in evidence his report on the outbreak of typhoid in Limerick Prison, date 18 September, 1902; also a series of reports for 1902, as to the sanitary condition of Limerick Prison.

Sworn before me this 20th day of November, 1902.

CHARLES E. MACDERMOT.

Barrister-at-Law,

Inspector of Prisons.

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LIMERICK COUNTY BOROUGH.

The Local Government Board (Ireland).

GENTLEMEN,

I have the honour to report that, in accordance with the instructions contained in No. 44,986, I proceeded to Limerick on Monday, 18th August, for the purpose of making inquiries relative to the outbreak of enteric fever in that City.

The cases reported numbered thirty-six, and were not confined to any one locality or particular neighbourhood (in only one instance was there a second case in the same house), but were distributed throughout the City, thirteen being in the No. 1 Dispensary District, thirteen in the No. 2 and ten in the No. 3; the first cases, with the exception of one which occurred about the middle of July, were notified on the 12th August, and the last on August 21st.

All the patients, but six, were removed to hospital for treatment. One death only occurred.

Under the direction of the Executive Sanitary Officer strict attention was paid by the Sub-Sanitary Officers to the cleansing and disinfecting of the houses and premises in which cases arose.

That the contagion was not conveyed by milk is evident from the fact that, having visited each of the affected houses, I ascertained that their milk supply was procured from twenty-three different places.

The difficulty of accurately tracing the source of infection was greatly enhanced by the widely divergent areas in which the cases occurred, and by the fact that, except in one instance (the Cox's), there was no connection whatever between any of the patients, but that the contagion was conveyed by water, there can be, I think, little doubt.

In July there were several complaints as to the insufficiency of the water supply in the city, and also as to the quality, the taste being said to be objectionable; the shortage continued for some time, owing to the lowness of the water in the Newcastle Reservoir, which is supplied from the pumping station at Clareville; the supply was supplemented on July 15th by water from Rehogue; this supply was continued till 2nd August, except on four days; there was also about this time some disturbance of the filter beds at Clareville. The Rehogue water is not filtered, but sent directly to the reservoir at Garryowen. The land round Rehogue is very highly cultivated, and a short distance above the Rehogue intake, a small stream, the Grudy River, which is liable to pollution, discharges into the Shannon.

All the enteric cases, except one, were notified between the 11th or 12th August and the 21st August, and in each case there was a history of having been ill some days before being visited by the medical attendant. Some of the patients told me they had been ill as long as fourteen days before sending for the doctor, so that it may fairly be assumed the contagion was introduced during the time of the shortage in the water supply (July 15th to August 2nd).

At my request the Executive Sanitary Officer had a sample of water taken from Rehogue analysed; though the result was satisfactory this is no proof that the water was not polluted at the time I mention above.

In the course of my inquiries I visited a large number of dairies and cowsheds, especially in the Park District. Most of these were in a more or less dirty and unsanitary condition, and clearly showed that very little attention was paid to cleanliness, either in the cowsheds or their surroundings. Park itself, where there are a large number of cowsheds and from where several people bring milk for sale into the City, is in a most insanitary condition, with heaps of manure everywhere, even on the public road; cesspools and stagnant water in front of almost every house, and also on the roadside.

The Inspector of Dairies and Cowsheds, &c., cannot perform his work in a very efficient manner; nor can the Sub-Sanitary Officer, indeed I might say also the Medical Officer of Health, be discharging their duties properly in allowing any part of their district to be in the state I saw when I visited Park.

I should like again to draw attention to the insanitary state of the lanes and smaller streets in Limerick. Most of the houses in them are without sanitary arrangements of any kind, and the cleansing and flushing of these places is not carried out as efficiently as might be. A better system than the one now adopted might easily be devised. The throwing out indiscriminately on the streets of night soil and every kind of refuse is a most objectionable practice; proper receptacles should be provided.

The tenement houses are, as a rule, bad, some very bad; many are without any sanitary arrangements, and in several the W.C. is inside the house, and without any means of ventilation. Most of these houses have yards, and the W.C.'s should be erected there; as a rule these houses are not kept clean.

The channel-ways and the paving of the back streets and lanes should be improved, and an effort made to keep them cleaner.

I have been informed, I believe correctly, that there are several private cesspools in the city. Steps should be at once taken to get rid of these, and compel all householders to connect with the main sewers.

To prevent in future the likelihood of a shortage in the water supply, the Corporation should take into consideration the question of improving their "intake" at Clareville. It would appear to me that this would not be a difficult thing to accomplish, and would be most advantageous.

The want of an ambulance to remove fever patients to hospital was very apparent during this outbreak. Had they been cases of typhus, the Sanitary Authority would have been confronted with a grave difficulty. Steps should forthwith be taken to provide the Sanitary Authority with a suitable ambulance.

It would be also most desirable that the Corporation should co-operate with the Rural District Councils in providing a thoroughly efficient Disinfecting Apparatus.

The Infectious Disease (Notification) Act, 1889, was adopted by the Corporation, and came into force on the 1st September, 1899, but until this recent outbreak only seven cases had been notified since that date, viz.—Two in January, 1901; one in February, 1901; two in April, 1901; two in July, 1901.

I desire, in conclusion, to express my acknowledgments to the Executive Sanitary Officer for the valuable assistance he afforded me in the course of my inquiries.

I have the honour to be, Gentlemen,

Your obedient Servant,

J. ACHESON MacCULLAGH.

Galway, 5th September, 1902.

Attached is a list of the enteric cases, and also a table showing height of water in Reservoir from 1st July to 22nd August.

No.	Age	Occupation.		Hospital to which removed.	
1	27	Coachman	...	St. John's	...
2	45	Shopman	...	Barrington's	...
3	14	Schoolboy	...	Barrington's	...
4	17	Labourer	...	Union	...
5	16	Cobweb Painter	...	Union	...
6	19	Van Driver	...	St. John's	...
7	21	Constable, B.L.C.	...	County Infirmary	...
8	8	Schoolgirl	...	Treated at home	...
9	37	Married Woman	...	St. John's	...
10	45	Married Woman	...	St. John's	...
11	38	Shop Porter	...	St. John's	...
12	18	Seamstress	...	St. John's	...
13	16	Factory Girl	...	Union	...
14	23	Tailor	...	St. John's	...
15	28	Dressmaker	...	Barrington's	...
16	11	Schoolboy	...	St. John's	...
17	28	Constable, B.L.C.	...	County Infirmary	...
18	23	Undertaker	...	St. John's	...
19	27	Smith	...	St. John's	...
20	29	Bookmaker	...	St. John's	...
21	70	Seed Merchant	...	Treated at home	...
22	26	Railway Clerk	...	County Infirmary	...
23	27	Clerk	...	St. John's	...
24	11	Schoolboy	...	St. John's	...
25	13	Schoolboy	...	Union	...
26	14	Schoolgirl	...	Union	...
27	46	Insurance Agent	...	Treated at home	...
28	35	Cabinet Maker	...	St. John's	...
29	35	Clerk	...	Treated at home; died	...
30	11	Schoolgirl	...	St. John's	...
31	13	Schoolboy	...	St. John's	...
32	14	Schoolboy	...	St. John's	...
33	50	Wife of Publican	...	Treated at home	...
34	50	Publican	...	Treated at home	...
35	10	Schoolboy	...	St. John's	...
36	20	Plumber	...	Barrington's	...

TABLE showing Height of Water in Newcastle Reservoir for Months of July and August, 1902.

		Ft.	in.	
JULY	1	15	9	
	2	16	0	
	3	16	0	
	4	16	0	
	5	16	0	
	6	15	7	
	7	15	10	
	8	15	11	
	9	15	6	
	10	15	7	
	11	15	8	
	12	15	3	
	13	14	6	
	14	13	9	
	15	12	8	Water also taken from Reboge Works.
	16	13	4	
	17	12	6	
	18	11	5	Reboge not working this day.
	19	10	7	Water also taken from Reboge Works.
	20	10	8	
	21	11	2	Reboge not working.
	22	10	9	Water also taken from Reboge Works.
	23	11	8	
	24	11	3	
	25	11	11	
	26	12	9	
	27	13	8	
	28	13	7	Reboge not working.
	29	12	6	
	30	12	0	Water also taken from Reboge Works.
	31	13	7	
AUGUST	1	15	0	Water also taken from Reboge Works.
	2	15	5	Cesssed pumping at Reboge.
	3	15	3	
	4	15	4	
	5	15	1	
	6	14	11	
	7	14	11	
	8	15	6	
	9	15	6	
	10	14	11	
	11	15	7	
	12	16	0	
	13	16	0	
	14	16	0	
	15	15	8	
	16	15	7	
	17	15	6	
	18	15	7	
	19	15	4	
	20	15	1	
	21	14	10	
	22	14	1	

J. J. PEACOCKE, City Surveyor,

23rd August, 1902.

Limerick.

LIMERICK COUNTY BOROUGH.

The Local Government Board

GENTLEMEN,—

I have the honour to report that I attended the meeting of the Public Health Committee of the above County Borough on Wednesday evening last (1st October), when my recent report was under consideration.

After a long and protracted discussion, the Committee decided to deal with the question of the back streets and lanes in districts, and requested the Medical Superintendent Officer of Health to visit those in the No. 3 District, and report with suggestions on that day fortnight.

It was also decided to have the manure heaps and cesspools, &c., at Park removed, and the Medical Officer of Health, who was present, undertook to have this done forthwith.

The Executive Sanitary Officer was directed to draw up a specification and advertise for an Ambulance for the conveyance of cases of infectious disease to hospital.

I was also present at a meeting of the Council on Thursday evening, at which a deputation from the Limerick Nos. 1 and 2 Rural District Councils attended to request the Corporation to join with them in procuring a thoroughly efficient disinfecting apparatus. At the request of the Mayor I explained the matter, and pointed out the great necessity for it, and a Sub-Committee was appointed to consult and arrange with the deputation from the District Councils.

Since my last visit to Limerick, ten cases of enteric fever have been notified:—

- 3 on the 6th September, one being in the Prison.
- 1 on the 14th September, in the Prison.
- 1 on the 17th September.
- 1 on the 19th September.
- 2 on the 22nd September.
- 2 on the 23rd September.

Some of these the Medical Superintendent of Health attributes to infection from previous cases; the source of infection in the others has not been satisfactorily traced as yet.

Towards the end of August the water in the Reservoir at Newcastle became very low again, and recourse was had to the supply at Rebogne, and the water to the City has been thus supplemented at intervals during the month of September. It is a curious fact that of the ten recent cases seven are in districts entirely supplied with water from Rebogne; however, I should hesitate for the present in definitely assigning the water supply as the source of infection.

The Executive Sanitary Officer has forwarded to Professor M'Wweeney for Bacteriological examination, samples of water from Rebogne, the Grady River, and the Reservoirs at Newcastle and Garryowen.

During September I find that five cases of Typhus Fever have been admitted to the Union Fever Hospital from different parts of the City. No report of these seem to have been made under Article 15 of the Board's Sanitary Order, No. 3. Four of them were not diagnosed as fever at first and were sent to the General Infirmary, and subsequently transferred to the Fever Hospital, and notification sent to the Medical Superintendent of Health, who was not aware that he should report to the Local Government Board. The fifth case was also notified.

The cases are as follows:—

1. Admitted to Fever Hospital on 12th September.
2. Admitted on 18th September, and transferred to Fever Hospital on 14th.
3. Admitted on 20th September; transferred to Fever Hospital on 22nd.
4. Admitted on 22nd September, and transferred immediately to Fever Hospital.
5. Admitted on 20th September; transferred to Fever Hospital on 21st.

Every precaution as to disinfection, &c., has been taken in these cases, under the direct supervision of the Medical Superintendent Officer of Health.

As to the cause of infection, I agree with Dr. M'Grath that it is due to overcrowding and dirty surroundings.

I have the honour to be,

Gentlemen,

Your obedient servant,

Galway, 6th October, 1902.

J. ACHESON MACCULLAGH.

APPENDIX III.

Report of analysis of four samples of water by Professor M'Wweeney.

LIMERICK COUNTY BOROUGH.

Copy of Report of Analysis of four samples of water by Professor M'Wweeney.

"A."—About 750 ordinary saprophytes per cubic centimetre. The *colic* bacillus was detected in the sediment obtained by passage through a Berkefeld filter. The sediment obtained by centrifugation contained *oscillatoria*, an alga that seldom occurs save in sewage-polluted water, also numerous large infusoria.

"B."—Thousands of ordinary saprophytes per cubic centimetre. The *colic* bacillus was not detected. (Same method as in case of "A.") The centrifuge sediment was, however, similar in character to that of "A."

"C."—Similar to "A" as regards number and character of saprophytic bacteria. The tests for the colon bacillus gave positive results, but the micro-organism isolated was not typical: centrifuge sediment unobjectionable.

"D."—About 500 saprophytes per c.c.; colon not found; sediment unobjectionable. This water is the best of the four, from the bacteriological standpoint.

"A."—Water of Shannon at Robogus pumping station.

"B."—Water from Grody River.

"C."—Water from Newcastle Reservoir.

"D."—Water from Garryowen Reservoir.

A. MACCULLAGH,

18/11/02.

APPENDIX IV.

Papers in connection with application of Mr. Timothy Flanagan to be permitted to wear his own clothes while in prison.

LIMERICK MALE PRISON.

Subject—Application of Prisoners to wear their own clothing.

H.M. Prison for Males,

Limerick, 18th June, 1902.

I beg to submit herewith applications from 524, P. J. Linnane, and 526, Timy Flanagan, Convicted Criminal Prisoners, requesting to be permitted to wear their own clothes during the term of their imprisonment, as provided by Rule 28 (amended).

The prisoners' own clothing is sufficient, and an adequate supply of inside clothing is available for their use. Please see joint report from self and Medical Officer annexed.

Applicants are two of the six prisoners committed on yesterday from Ennis under the C. I. & P. Act, and both are Justices of the Peace.

L.P.C. sheets attached.

M. O'SULLIVAN,

Governor.

The Chairman,
General Prisons Board,
Dublin Castle.

Approved,

S. W.

18th June, 1902.

LIMERICK MALE PRISON.

To the Chairman,
General Prisons Board,
Dublin Castle.

I beg to apply to the General Prisons Board for permission to wear my own clothing during my term of imprisonment in this Prison.

TIMOTHY FLANAGAN.

H.M. Prison for Males,

Limerick, 18th June, 1902.

524, P. J. Linnane,
526, Timothy Flanagan.

We certify that the wearing of Prison dress in case of the above-named prisoners is not necessary on the grounds of health or personal cleanliness, and that a sufficient supply of inside clothing is available for their use.

T. J. GALETON, M.D.,
Medical Officer.

M. O'SULLIVAN,
Governor.

APPENDIX V.

REPORTS by MEDICAL OFFICER and CHIEF WARDER of LIMERICK MALE PRISON in connection with the illness of Mr. TIMOTHY FLANAGAN and his discharge from prison, September, 1902.

(COPY.)

LIMERICK MALE PRISON.

Illness of Prisoner TIMOTHY FLANAGAN.

H.M. Prison, Limerick Male,

12th September, 1902.

I beg to submit the attached extract from Medical Officer's Journal of this date, and to report that 526, Timothy Flanagan, is one of six prisoners committed from Corofin, Co. Clare, on 17th June, 1902, under the Criminal Law and Procedure Ireland Act, 1887; he is due for discharge on 6th October, 1902; the other five have been already released on expiration of sentence.

D. MURPHY, C.W.

The Chairman,
General Prisons Board,
Dublin Castle.

For Governor on leave.

(COPY.)

H.M. Prison for Males,

Limerick, 12th September, 1902.

Copy of Medical Officer's Report as entered in his Journal in the case of 526, Timothy Flanagan.

"Visited, &c., Prisoner Flanagan; rest in bed." -

1902.—Sept. 12, 5.15 p.m.

"Visited to see Prisoner Flanagan, who was ailing, this morning, and his temperature, 101, pulse 80. This evening his temperature is 102, and pulse 90.

"Sweating; I am keeping him in his own cell in bed and under observation till the morning."

T. J. GELSTON,
Medical Officer.

(COPY.)

Telegram, Sept. 13th, 1902.

To the Chairman,
G. P. Board,
Dublin Castle.

Despatched 12.25 p.m.

The Medical Officer desires the following entry made this morning in his Journal to be wired to Board with reference to illness of Timothy Flanagan reported last night:— "Flanagan's case very suspicious; have removed him to hospital this morning and employed nurse; temperature 102."

GOVERNOR, Limerick Male Prison.

(COPY.)

H.M. Prison for Males,
Limerick, 14th September, 1902.

Sir,
I beg to submit herewith a report from the Medical Officer of this prison recommending the discharge of 526, Timothy Flanagan, a prisoner now in custody suffering from typhoid fever.

The prisoner is in custody for Criminal Conspiracy, and was sentenced at Corofin, Co. Clare, Petty Sessions to four months' hard labour under the Criminal Law and Procedure (Ireland) Act, 1887, which sentence on appeal was affirmed by County Court Judge for Clare, and the prisoner committed to prison on 17th June, 1902, and is due for discharge on 6th October, 1902.

He is a Justice of the Peace by virtue of his office as Chairman of Corofin District Council. Copy of Warrant attached.

I have, &c.,

D. MURPHY, C. Warden,

The Under Secretary,
&c., &c., &c.,
Dublin Castle.

For Governor on leave.

(COPY.)

FORM OF REPORT BY SURGEON OF PRISON.

(Rule for Surgeons, No. 14)

H.M. Prison, Limerick Male.

SIR.

I have the honour to report, for the information of the Lord Lieutenant, that I consider the life of Timothy Flanagan, 526, a prisoner now confined in this prison, to be endangered by further confinement, and I hereby certify to the correctness of the statements attached hereto.

Signature of Surgeon of Prison,

The Under Secretary,
etc., etc., etc.,
Dublin Castle.

T. J. Gelston, M.D.,
Date, Sept. 14th, 1902.

N.B.—A copy of this Report has been forwarded to the General Prisons Board.

QUERIES.

ANSWERS.

1. Name of Prisoner. Timothy Flanagan.
2. Age. 32 years.
3. Nature of disease. Typhoid fever.
4. Has the disease been caused by confinement in prison? Developed here.
5. Has it been aggravated by confinement in prison? No.
6. State in detail the grounds upon which you have arrived at the conclusion that the prisoner's life is endangered by further confinement. The prisoner will be in a better position as regards treatment by being removed to hospital. The disease being so uncertain in its course that, although being mild at present, one cannot say what may eventuate.
7. What benefit would the prisoner be likely to derive by being discharged? More efficient treatment in hospital, and being freed from the depressing surroundings of prison life.
8. Would the prisoner be likely to derive benefit by removal to an Invalid Establishment, in which the conditions of ordinary prison life would be changed? Yes.
9. Is the prisoner in a fit state of health to be at once discharged? Yes.
10. If not, when will the prisoner be likely to be fit for discharge? Yes.
11. Has the prisoner any friends who are willing and able to take care of him or her? If so, give names and addresses? The prisoner does not ask to be discharged, but if sentence is commuted is willing, on my advice, to go to the Co. Limerick Infirmary for treatment under my care.
12. Is the prisoner anxious to be discharged, or would he or she prefer to remain in the Gaol Hospital under proper medical treatment? The prisoner does not ask to be discharged, but if sentence is commuted is willing, on my advice, to go to the Co. Limerick Infirmary for treatment under my care.
13. Where does the prisoner intend to go if discharged?

Name, T. J. Gelston, M.D.,

Date, Sept. 14th, 1902.

QUERIES TO BE ANSWERED BY GOVERNOR.

A. Crime.—Criminal Conspiracy.

B. Sentence.—Four months' hard labour. C. L. and P. Act, 1887.

C. Date of Conviction.—12th May, 1902. Appeal affirmed 17th June, 1902.

D. Before whom tried.—A. N. Brady and P. J. Kelly Esqrs., R.M.'s. On appeal, R. P. Carton, Co. Court Judge for Co. Clare.

E. If before convicted for what offence.—Nil.

F. Previous character and circumstances.—Not known.

Signature of Governor, D. MURPHY, C.W.

Date, 14th Sept., 1902.

(Governor on leave.)

(COPY.)

Telegram, Sept. 15th, 1902,
Despatched 1.26 p.m.To Asst. Under Secy.,
Castle, Dublin.

In accordance with wire received this day, 526, Timothy Flanagan, was removed to Co. Limerick Infirmary at 12.40 p.m. under supervision of Medical Officer.

GOVERNOR, Limerick Male Prison.

(COPY.)

Form 14.—A.D.

H.M. Male Prison, Limerick,
15th September, 1902.

Sir,

In reply to your telegram of this day, conveying the desire of Their Excellencies the Lords Justices that Prisoner Timothy Flanagan, 526, be discharged, in consequence of the state of his health, I have the honour to inform you that I have released him from custody accordingly, and have removed him to the County Limerick Infirmary under the supervision of the Medical Officer, as directed. Discharged at 12.40 p.m.

I have the honour to be,

Sir,

Your obedient Servant,

D. MURPHY, C.W.

For Governor on leave.

The Under-Secretary,
Dublin Castle.

(COPY.)

LIMERICK MALE PRISON.

Discharge of 526, TIMOTHY FLANAGAN, suffering from Typhoid Fever.

H.M. Prison, Limerick Male,
15th September, 1902.

I beg to report that 526, Timothy Flanagan whose case was reported to Board and Under-Secretary by last night's post as suffering from typhoid fever, was, on receipt of wire this day from Under-Secretary, discharged to Co. Limerick Infirmary under supervision of Medical Officer.

Time of discharge, 12.40 p.m.

D. MURPHY, C.W.

For Governor on leave.

The Chairman,
General Prisons Board,
Dublin Castle.

APPENDIX VI.

Report of Doctor LAIRD, Acting Prison Medical Officer, dated 24th August, 1902, as to precautions taken in Limerick Male Prison against Typhoid Fever.

(COPY.)

H.M. Prison for Males,
Limerick.

Copy of Medical Officer's Report as entered in his Journal.

1902.—August 24.

Owing to a rather severe outbreak of typhoid fever in the city and surrounding districts, I thought it advisable to make a special inspection of all the sanitary arrangements, W.C.'s, flushing system, &c.; also to make enquiries about the condition of the water used, and having done so, I consider the sanitary arrangements good, and to be in proper working order, and find that all water used for drinking purposes is previously boiled—no further presumption can be taken.

H. S. LAIRD,
Acting for Medical Officer.

APPENDIX VII.

Report by Stewart Woodhouse, Esq., M.D., Member General Prisons Board, on Typhoid Fever in Limerick Male Prison.

LIMERICK MALE PRISON.

TWO CASES OF TYPHOID FEVER.

General Prisons Board,
Dublin, 18th September, 1902.

UNDER-SECRETARY,

I have to report that yesterday I investigated the circumstances under which two prisoners in Limerick Male Prison have developed typhoid fever. One of them, B. Crowley, was removed to the County Infirmary on the 8th instant. In his case the fever is pursuing a favourable course, and he is progressing satisfactorily. The other prisoner, Timothy Flanagan, was removed to the County Infirmary on the 14th instant.* With him the type of the disease is more severe, and his life is still in danger. As one was two months in prison and the other three months, the disease could not have been contracted outside.

I have conferred with the Superintendent Medical Officer of Health for the City of Limerick, who has informed me that during the past seven or eight weeks there have been about 48 cases of typhoid fever in Limerick, pretty evenly scattered throughout the city, and not following any particular lines of drainage or supplies of milk, &c. He is not satisfied that the outbreak is due to the town water, and he is unable at present to assign any special cause for the epidemic. Most of the cases were removed to the Union Hospital and St. John's Hospital, and a few to the County Infirmary, which is just opposite to the Prison.

The Local Government Board have caused a special investigation to be held into the cause of the outbreak, and have issued a report.

The public water supply of Limerick has been long suspected of being, at least, liable to pollution, and for some years past the water used for drinking in the prison has been passed through a Pasteur filter; but for a time before the outbreak, when the water was regarded with increasing suspicion, the drinking water was all boiled. This to some extent superseded the filtering as giving greater security.

The milk has been obtained for years from a large dairy farm two miles from the city. I visited this farm, and found it in a healthy condition, but on the previous day the Superintendent Medical Officer of Health had taken for analysis a sample of the water used in the dairy, of which he will send me a copy.

The entire system of drainage in the prison was re-modelled nine years ago. I tested the flushing of the drains. They are in good and efficient order.

On 24th ultmo Dr. Laird, a Limerick medical practitioner, who was then acting Medical

* Mr. Flanagan had been committed to Limerick Prison on the 15th June.

Officer, made the following entry in the Medical Journal:—

"Owing to a rather severe outbreak of typhoid fever in the city and surrounding districts I thought it advisable to make a special inspection of all the sanitary arrangements, W.C.'s, flushing systems, etc.; also to make inquiries about the condition of the water used. And, having done so, I consider the sanitary arrangements good, and to be in proper working order. I found that all water used for drinking purposes is previously boiled. No further precautions can be taken."

The Medical Officer of the prison considers that there has been no sanitary defect and no unwholesome article of food. This is also my conviction.

Most probably the germs of the disease have been carried atmospherically from the neighbouring part of the city.

Although, as stated, there is no reason to suspect the milk as being the carrier of disease, the additional precaution has been taken since the 18th instant of heating it before using; moreover, the drinking water is now both filtered and boiled.

STEWART WOODHOUSE, M.D.